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LOS ANGELES COUNTY SHERIFF'S DEPARTMENT

Incident Date: July 24, 2008

One Year Statute Date: July 28, 2009

Post-Stipulation

Bouman

INTERNAL AFFAIRS BUREAU INVESTIGATIVE REPORT

CONFIDENTIAL

IAB # IV 2225402

761551N25A - SH - AD - 32A (2/72)

COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

"A Tradition of Service"

OFFICE CORRESPONDENCE

DATE: September 24, 2008
FILE NO. IAB#2225402

FROM: DAVID SMITH, ACTING CAPTAIN
HOMICIDE BUREAU

TO: MARK LILLIENFELD, DEPUTY
HOMICIDE BUREAU

SUBJECT: **WRITTEN REPRIMAND**

The evidence developed in this investigation supports the following:

Charge One:

That in violation of Manual of Policy & Procedures section 3-01/121.30, Policy of Equality - Inappropriate Conduct Toward Others (Sex), on or about July 24, 2008, you engaged in inappropriate conduct toward others based on or because of sex when such conduct reasonably would be considered inappropriate for the workplace, as evidenced by, but not limited to the following:

1) While conducting training for a group of approximately 100 employees, you referred to a woman as a "broad."

Charge Two:

That in violation of Manual of Policy & Procedures section 3-01/030.85, Derogatory Language, on or about July 24, 2008, you used coarse, profane, or insulting language when you used the expletive "fuck" multiple times while conducting training for a group of approximately 100 employees.

You are hereby officially reprimanded for your conduct. Any further violations will result in more severe discipline.

D. Smith — 9-25-08

David Smith, Captain — Date

I have read and received a copy of this reprimand.

Mark Lillienfeld — 9/25/08

Mark Lillienfeld, Deputy #[redacted] — Date

[signature] — 9-25-08

Witness — Date

761551N25A - SH - AD - 32A (2/72)

COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

"A Tradition of Service"

OFFICE CORRESPONDENCE

DATE: September 23, 2008
FILE NO. IAB 2225402

FROM: LYNDA R. CASTRO, COMMANDER
OFFICE OF THE UNDERSHERIFF

TO: KARYN MANNIS, CAPTAIN
INTERNAL AFFAIRS BUREAU

SUBJECT: **LILLIENFELD, Mark, Deputy Sheriff, #[redacted]**
Detective Division
Homicide Bureau

The Equity Oversight Panel, consisting of Sue Tyler, Mercedes Cruz, Nora Quinn, and David Cunningham met on September 23, 2008. Also in attendance were Division representatives Commander Peter Amico, Commander Earl Shields, Captain David Walters and Acting Captain David Smith.

Upon consideration of the facts developed in this investigation, the panel determined that *MPP sections 3-01/121.30 (POE - Inappropriate Conduct Toward Others-Sex), and 3-01/030.85 (Derogatory Language)*, are **founded**.

The Equity Oversight Panel recommends that the Subject receive a **written reprimand**. We understand that we will be notified in writing if the Department intends to modify this recommendation.

Lynda R. Castro (dg)
Lynda R. Castro, Commander

9-23-08
Date

SUBJECT MARK LILLIENFELD, DEPUTYSHERIFF BONUS II, #[redacted]
IAB CASE NO. 2225402

CHARGES

The evidence developed in this investigation supports the following

Charge One

That in violation of 3-01/121.30, Policy of Equality - Inappropriate Conduct Toward Others (Sex), on or about July 24, 2008, Subject Lillienfeld engaged in inappropriate conduct toward others based on or because of sex when such conduct reasonably would be considered inappropriate for the workplace, as evidenced by, but not limited to the following:

1.) While conducting training for a group of approximately 100 employees he referred to a woman as a 'broad'.

Charge Two:

That in violation of 3-01/030.85, Derogatory Language, on or about July 24, 2008, Subject Lillienfeld used coarse, profane, or insulting language when he used the expletive "fuck" multiple times while conducting training for a group of approximately 100 employees.

761551N25A - SH - AD - 32A (2/72)

COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

"A Tradition of Service"

OFFICE CORRESPONDENCE

DATE: August 15, 2008
FILE NO. IAB IV 2225402

FROM: LYNDA CASTRO, COMMANDER
OFFICE OF THE UNDERSHERIFF

TO: EQUITY OVERSIGHT PANEL

SUBJECT: POSSIBLE MANUAL OF POLICY AND PROCEDURES VIOLATIONS

The following Manual of Policy and Procedures violations relate to the allegations in this case, regarding **Mark Lillienfeld, Deputy Sheriff Bonus II:**

3-01/121.30 Policy of Equality - Inappropriate Conduct Toward Others (Sex)

Disposition:

__√__ Charge founded
_____ Charge unresolved
_____ Charge unfounded
_____ Charge exonerated

3-01/030.85 Derogatory Language

Disposition:

__√__ Charge founded
_____ Charge unresolved
_____ Charge unfounded
_____ Charge exonerated

Discipline Assessment - Mark Lillienfeld

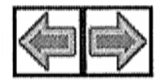
Review of Applicable "Guidelines for Discipline" Section:
The Departmental "Guidelines for Discipline" (revised August 1, 2005) includes the Policy Of Equality, and lists the following analogous misconduct with the associated disciplinary penalties:

CONDUCT	STANDARD DISCIPLINE
3-01/121.30 Policy of Equality - Inappropriate Conduct Toward Others (Sex)	**W/R to Discharge**
3-01/030.85 Derogatory Language Discourtesy or profanity toward Department members.	**W/R to 10 Days Suspension**

Determination of Discipline:
Based upon the attached assessment of mitigating and aggravating factors, the following discipline has been determined to be appropriate. This discipline is subject to revision upon receipt of the Subject's response or grievance.

_____ **Discharge**
_____ **Reduction in Rank**
_____ **Removal from Bonus Position**
_____ **Suspension with loss of pay and benefits for _____ days**
__✓__ **Written Reprimand**
_____ **No discipline**

LC:JK:jk

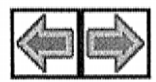


3-01/121.30 POLICY OF EQUALITY - INAPPROPRIATE CONDUCT TOWARD OTHERS

Inappropriate conduct toward others is any physical, verbal, or visual conduct based on or because of sex, race, color, ancestry, religion, national origin, ethnicity, age (40 and over), disability, sexual orientation, marital status, or medical condition when such conduct reasonably would be considered inappropriate for the workplace.

This provision is intended to stop inappropriate conduct before it becomes unlawful discrimination or harassment. As such, the conduct need not be pervasive or repeated in order to violate this Policy. An isolated derogatory comment, joke, racial slur, sexual innuendo, etc., may be grounds for discipline. Similarly, the conduct need not be unwelcome to the party against whom it is directed; if the conduct reasonably would be considered inappropriate for the workplace, it will violate this Policy.

Revised 01/05/03



3-01/030.85 DEROGATORY LANGUAGE

Members shall not use coarse, profane or insulting language nor use threatening or uncomplimentary terms of speech, or use terms which would defame or demean the nationality or culture of any individual.

04/01/96 MPP

INVESTIGATOR LOG

Case No: 2225402 **Bouman:** YES

Investigation Submitted: 8/19/2008 **EIU Lieutenant Approval:**

Advocate Review Completed: **Date Referred to EOP:**

INV_DATE	*SUMMARY*	*NAME*
8/6/2008	BRIEFED ON CASE BY LT. JENSEN. PULLED RELEVANT TRAINING DOCUMENTS. REQUESTED SUBJECT'S POE RECEIPT FROM 10/2007 FROM HOMICIDE. SENT [redacted] AND [redacted] ISU TRANSCRIPT REQUESTS OUT. E-MAILED [redacted] [redacted] WANTS A REP FOR HER WITNESS INTERVIEW. REQUESTED ATTENDEE ROSTER FROM [redacted]	KISER
8/6/2008	CASE ASSIGNED TO SGT.KISER	LT. JENSEN/YC
8/7/2008	INTERVIEWING [redacted] ON MONDAY. WILL INTERVIEW [redacted] ON TUESDAY 8/12 @ 1:00 IN COMMERCE WITH MARLYNE RINALDI FROM PPOA. LT. JENSEN CONFERRED WITH CAPT. WALTERS RE RELUCTANCY OF COMPLAINANTS.	KISER
8/11/2008	INTERVIEWED [redacted] AND [redacted] PROOFED [redacted] AND [redacted] TRANSCRIPTS. RECEIVED ATTENDEE LIST FROM [redacted]	KISER
8/12/2008	PHONE INTERVIEW [redacted] SENT TRANSCRIPTS OUT. WAITING FOR EOP DIRECTION AS FAR AS HOW TO PROCEED WITH 9 SSB SUPERVISORS.	KISER
8/13/2008	SPOKE WITH [redacted] ON THE PHONE. BRIEFED BY LT. JENSEN RE EOP CONCESSION AS FAR AS SUPERVISORIAL DUTIES OF SSB STAFF. LEFT VOICE MAIL FOR SUBJECT TO SCHEDULE HIS INTERVIEW.	KISER
8/14/2008	INTERVIEWED LILLIENFELD. PREPARING TRAINING MATRIX FOR SSB. WAITING FOR TRANSCRIPTS.	KISER
8/15/2008	PHONE RECORD AUDIT: CASE NO 08-130.	KISER
8/18/2008	PROOFED [redacted], [redacted] [redacted] AND LILLIENFELD TRANSCRIPTS. STARTED SUMMARY.	KISER
8/19/2008	FINISHED SUMMARY. SUBMITTED TO LT. JENSEN.	KISER

08-30-08 case approved / LT Jensen # [redacted]

INTERNAL AFFAIRS BUREAU
- Audio/Video Tracking Sheet -

Please Choose One: ■ IAB ❑ SH ❑ FO # IV 2225402

Investigator(s) Name: Kiser # [redacted]

Total number of video tapes: 0

Total number of audio tapes: 0

Number of tapes:

❑ 30 Minutes__________(Qty)
❑ 60 Minutes__________(Qty)
❑ 120 Minutes__________(Qty)
❑ CD________________(Qty)

❑ 45 Minutes__________(Qty)
❑ 90 Minutes__________(Qty)
❑ Micro Cassettes________(Qty)

Dictaphone files:

24128 [redacted]
24129
24165
24163
24190
24294 Lillienfeld

Date submitted: August 14, 2008

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IAB CASE NO. IV 2225402

PERSONNEL INVESTIGATION FORM

COUNTY OF LOS ANGELES SHERIFF'S DEPARTMENT
PERSONNEL INVESTIGATION

DATE	No. OF SUBJECTS	UNIT(S) INVOLVED	I.A.B. FILE No.
8/14/08	1	Homicide Bureau	IV 2225402

MANUAL SECTIONS ALLEGEDLY VIOLATED (BY TITLE AND No.)
3-01/121.30 Policy of Equality - Inappropriate Conduct Toward Others (Sex), 3-01/030.15 Conduct Toward Others, 3-01/030.85 Profanity

DATE, TIME, DAY OF OCCURRENCE	RELATED URN FILE No. IF APPLICABLE
July 24, 2008	

LOCATION OF OCCURRENCE: Hertzberg-Davis Forensic Science Center

SOURCE OF COMPLAINT: ☐ COMMUNITY ☐ SUPERVISION W/C REPORT No. ______ ☒ OTHER SOURCES (SPECIFY) POE 08-180

SUBJECT	LAST NAME	FIRST NAME	M.I.	RANK OR TITLE	EMP. No.
No. 1 OF 1	Lillienfeld	Mark		Deputy Sheriff, Bonus II	[redacted]

UNIT OF ASSIGNMENT	DATE ASSIGNED	DIVISION OR REGION
Homicide Bureau	1991	Detective Division

STATUS OF SUBJECT: ☒ CONTINUING ON DUTY ☐ RELIEVED OF DUTY - REASSIGNED TO: ______ ☐ OTHER ______

SEX	RACE	HAIR	EYES	HEIGHT	WEIGHT	D.O.B.	AGE
Male	White	Brown	Brown	5-07	165	[redacted]	51 yrs.

DATE OF HIRE	DATE APPOINTED TO RANK	INTERVIEW TAPE RECORDED ON	SIDE	DATE	TIME
12/18/1980	1991	TAPE ____ OF 24294	☐ A ☐ B	8/14/08	10:05

PREVIOUS 7 YEAR FOUNDED INVESTIGATIONS (EXCLUDING TRAFFIC)

DATE	I.A.B. FILE No.	MANUAL SECTION(S) VIOLATED	DISCIPLINE
		N/A	

SUBJECT	LAST NAME	FIRST NAME	M.I.	RANK OR TITLE	EMP. No.
No. OF					

UNIT OF ASSIGNMENT	DATE ASSIGNED	DIVISION OR REGION

STATUS OF SUBJECT: ☐ CONTINUING ON DUTY ☐ RELIEVED OF DUTY - REASSIGNED TO: ______ ☐ OTHER ______

SEX	RACE	HAIR	EYES	HEIGHT	WEIGHT	D.O.B.	AGE

DATE OF HIRE	DATE APPOINTED TO RANK	INTERVIEW TAPE RECORDED ON	SIDE	DATE	TIME
		TAPE ____ OF ____	☐ A ☐ B		

PREVIOUS 7 YEAR FOUNDED INVESTIGATIONS (EXCLUDING TRAFFIC)

DATE	I.A.B. FILE No.	MANUAL SECTION(S) VIOLATED	DISCIPLINE

CODE: C - COMPLAINANT, W - WITNESS ADDITIONAL COMPLAINANTS, WITNESSES, OR SUBJECTS ON SUPPLEMENTAL PAGES ☐ YES ☐ NO

CODE	No.	LAST NAME	FIRST NAME	M.I.	SEX	RACE	D.O.B.
W	1 OF 5	[redacted]	[redacted]		Female	White	35 yrs.

RESIDENCE ADDRESS: Los Angeles County Sheriff's Department - Senior Criminalist
RES. PHONE (AREA CODE): ( )
BUSINESS ADDRESS OR UNIT OF ASSIGNMENT: 1800 Paseo Rancho Castillo, LA Hertzberg-Davis Forensic Science Center
CDL OR LASD EMPLOYEE NO.: [redacted]
BUS. PHONE (AREA CODE): [redacted]
INTERVIEW TAPE RECORDED ON: TAPE ____ OF 24163 SIDE ☐ A ☐ B DATE 8/11/08 TIME 9:11

CODE	No.	LAST NAME	FIRST NAME	M.I.	SEX	RACE	D.O.B.
W	2 OF 5	[redacted]	[redacted]		Female	White	47 yrs.

RESIDENCE ADDRESS: Los Angeles County Sheriff's Department - Senior Criminalist
RES. PHONE (AREA CODE): ( )
BUSINESS ADDRESS OR UNIT OF ASSIGNMENT: 1800 Paseo Rancho Castillo, LA Hertzberg-Davis Forensic Science Center
CDL OR LASD EMPLOYEE NO.: [redacted]
BUS. PHONE (AREA CODE): [redacted]
INTERVIEW TAPE RECORDED ON: TAPE ____ OF 24165 SIDE ☐ A ☐ B DATE 8/11/08 TIME 12:55

PRIMARY INVESTIGATOR	RANK	EMP. No.	APPROVED
Julia Kiser	Sergeant	[redacted]	CA JE-2562 # [redacted] 08-30-08
ASSISTING INVESTIGATOR	RANK	EMP. No.	DATE SUBMITTED

IF ADDITIONAL SUBJECTS, WITNESSES, COMPLAINANTS OR DISCIPLINE HISTORIES, LIST ON CONTINUATION PAGES.

I.A.B. FILE No. IV 2225402

NARRATIVE SHOULD BE AN OBJECTIVE AND UNBIASED STATEMENT OF THE FACTS; INVESTIGATOR OPINIONS SHALL NOT BE INCLUDED.

No. OF ITEMS	LIST EXHIBITS/EVIDENCE FIRST (IF STORED, STATE LOCATION - AUDIO TAPES SHOULD BE CLEARLY LABELED), THEN BEGIN NARRATIVE.
	ADMINISTRATIVE RIGHTS FORMS. (ATTACH ONE FORM FOR EACH EMPLOYEE INTERVIEWED)
	AUDIO TAPES. ALL INTERVIEWS <u>SHALL</u> BE TAPE RECORDED AND ALL TAPES MUST BE INCLUDED. (LIST EACH INTERVIEWEE BY NAME.)
	All interviews were digitally recorded.
	Refer to Table of Contents.

SHERIFF'S DEPARTMENT PERSONNEL INVESTIGATION
COMPLAINANT / WITNESS CONTINUATION PAGE

I.A.B. FILE No. IV 2225402 | PAGE 3 OF 3

CODE: C - COMPLAINANT, **W** - WITNESS

CODE W No. 3 OF 5 | LAST NAME [redacted] | FIRST NAME [redacted] | M.I. | SEX Female | RACE White | D.O.B. 31 yrs.
RESIDENCE ADDRESS Los Angeles County Sheriff's Department - Senior Criminalist | RES. PHONE (AREA CODE) ( )
BUSINESS ADDRESS OR UNIT OF ASSIGNMENT 1800 Paseo Rancho Castillo, LA Hertzberg-Davis Forensic Science Center | CDL OR LASD EMPLOYEE NO. [redacted] | BUS. PHONE (AREA CODE) [redacted]
INTERVIEW TAPE RECORDED ON TAPE ____ OF 24190 SIDE ☐ A ☐ B DATE 8/12/08 TIME 1:51

CODE W No. 4 OF 5 | LAST NAME [redacted] | FIRST NAME [redacted] | M.I. | SEX Female | RACE White | D.O.B. 39 yrs.
RESIDENCE ADDRESS Los Angeles County Sheriff's Department - Supervising Criminalist | RES. PHONE (AREA CODE) ( )
BUSINESS ADDRESS OR UNIT OF ASSIGNMENT 2020 W. Beverly Bl., LA Crime Lab | CDL OR LASD EMPLOYEE NO. [redacted] | BUS. PHONE (AREA CODE) [redacted]
INTERVIEW TAPE RECORDED ON TAPE ____ OF 24128 SIDE ☐ A ☐ B DATE 7/31/08 TIME 9:50

CODE W No. 5 OF 5 | LAST NAME [redacted] | FIRST NAME [redacted] | M.I. | SEX Male | RACE White | D.O.B. 73 yrs.
RESIDENCE ADDRESS Los Angeles County Sheriff's Department - Supervising Forensic Identification Specialist | RES. PHONE (AREA CODE) ( )
BUSINESS ADDRESS OR UNIT OF ASSIGNMENT 2020 W. Beverly Bl., LA Crime Lab | CDL OR LASD EMPLOYEE NO. [redacted] | BUS. PHONE (AREA CODE) [redacted]
INTERVIEW TAPE RECORDED ON TAPE ____ OF 24129 SIDE ☐ A ☐ B DATE 7/31/08 TIME 10:26

CODE No. OF | LAST NAME | FIRST NAME | M.I. | SEX | RACE | D.O.B.
RESIDENCE ADDRESS | RES. PHONE (AREA CODE) ( )
BUSINESS ADDRESS OR UNIT OF ASSIGNMENT | CDL OR LASD EMPLOYEE NO. | BUS. PHONE (AREA CODE) ( )
INTERVIEW TAPE RECORDED ON TAPE ____ OF ____ SIDE ☐ A ☐ B DATE ____ TIME ____

CODE No. OF | LAST NAME | FIRST NAME | M.I. | SEX | RACE | D.O.B.
RESIDENCE ADDRESS | RES. PHONE (AREA CODE) ( )
BUSINESS ADDRESS OR UNIT OF ASSIGNMENT | CDL OR LASD EMPLOYEE NO. | BUS. PHONE (AREA CODE) ( )
INTERVIEW TAPE RECORDED ON TAPE ____ OF ____ SIDE ☐ A ☐ B DATE ____ TIME ____

CODE No. OF | LAST NAME | FIRST NAME | M.I. | SEX | RACE | D.O.B.
RESIDENCE ADDRESS | RES. PHONE (AREA CODE) ( )
BUSINESS ADDRESS OR UNIT OF ASSIGNMENT | CDL OR LASD EMPLOYEE NO. | BUS. PHONE (AREA CODE) ( )
INTERVIEW TAPE RECORDED ON TAPE ____ OF ____ SIDE ☐ A ☐ B DATE ____ TIME ____

CODE No. OF | LAST NAME | FIRST NAME | M.I. | SEX | RACE | D.O.B.
RESIDENCE ADDRESS | RES. PHONE (AREA CODE) ( )
BUSINESS ADDRESS OR UNIT OF ASSIGNMENT | CDL OR LASD EMPLOYEE NO. | BUS. PHONE (AREA CODE) ( )
INTERVIEW TAPE RECORDED ON TAPE ____ OF ____ SIDE ☐ A ☐ B DATE ____ TIME ____

CODE No. OF | LAST NAME | FIRST NAME | M.I. | SEX | RACE | D.O.B.
RESIDENCE ADDRESS | RES. PHONE (AREA CODE) ( )
BUSINESS ADDRESS OR UNIT OF ASSIGNMENT | CDL OR LASD EMPLOYEE NO. | BUS. PHONE (AREA CODE) ( )
INTERVIEW TAPE RECORDED ON TAPE ____ OF ____ SIDE ☐ A ☐ B DATE ____ TIME ____

INVESTIGATIVE SUMMARY

INTERNAL AFFAIRS BUREAU
INVESTIGATIVE SUMMARY
IAB# IV 2225402

COMPLAINANTS:	[redacted] # [redacted] Senior Criminalist, Scientific Services Bureau (SSB)
	[redacted] # [redacted] Senior Criminalist, SSB
SUBJECT:	Mark Lillienfeld, # [redacted] Deputy Sheriff, Bonus II, Homicide Bureau
DATE OF INCIDENT:	July 24, 2008
LOCATION:	Hertzberg-Davis Forensic Science Center / SSB 1800 Paseo Rancho Castillo, Los Angeles
DATE DEPT. NOTIFIED:	July 24, 2008
DATE OF INTAKE NOTIFICATION:	July 29, 2008
DATE IAB OPENED:	August 6, 2008
DATE CALENDARED FOR EOP:	
PRIMARY INVESTIGATOR:	Sergeant Julia Kiser

ALLEGATIONS:

The alleged acts of harm are as follows:

> POE - Inappropriate Conduct Toward Others (Sex). Specifically, that while lecturing to a group of approximately one hundred criminalists, Subject Lillienfeld referred to a woman as a "broad", used profanity during his lecture, and made reference to looking at someone's chest if their report was too complicated. The Subject also is alleged to have used profanity during the course of his presentation.

CURRENT STATUS:

All parties remain at their units of assignment.

BACKGROUND:

Detective Mark Lillienfeld is a 51 year-old White male Bonus II Deputy Sheriff assigned to Homicide Bureau. He is not a functional line supervisor. He was hired on December 18, 1980. Detective Lillienfeld attended [redacted] (refer **Exhibit D**). He signed for a copy of the Policy of Equality on October 23, 2007.

ALLEGATION:

#1) On July 24, 2008, Subject Lillienfeld made a four-hour presentation regarding a high-profile, double-homicide investigation ([redacted] to a group of approximately 100 criminalists at the Hertzberg-Davis Science Center, during which Subject Lillienfeld used the expletive "fuck," referred to a woman as a "broad," and made mention of looking at someone's chest if their technical report was too complex to understand. Two attendees, [redacted] and [redacted] e-mailed their supervisor, Supervising Criminalist [redacted] that same day to tell Ms. [redacted] they left the training early because Subject Lillienfeld was offensive (Exhibits B and C). Ms. [redacted] completed a Policy of Equality Intake Report on July 29, 2008 (Exhibit A).

IAB Note: A list of meeting attendees was forwarded to the investigator by Supervising Forensic Identification Specialist [redacted] there was no formal AFIS roster for attendees to sign in on. The names of the nine supervising criminalists and sixty-four line staff who attended this training session is included as **Exhibit E**. Members of the Los Angeles Police Department were also present.

IAB Note: Complainant [redacted] refused to provide an interview with the Intake Specialist Unit (ISU) during the intake assessment process. Also, she initially told the IAB investigator on the telephone that she would not make a statement and would not participate in an interview. Ms. [redacted] was spoken to by her unit commander, Captain David Walters, who conveyed the Department's Policy of Equality process to her and her responsibilities as an employee. Ms. [redacted] cooperated in the interview with the investigator the following day, but was still extremely reluctant because she felt the Department was making too big of a deal out of the incident.

Similarly, Complainant [redacted] refused to speak to ISU during the assessment process. She did speak with the IAB investigator, but brought a PPOA representative with her to her witness interview.

During its assessment process, ISU interviewed two Scientific Services Bureau supervisors, [redacted] and [redacted] however, they did so without appropriate consideration given towards [redacted] and [redacted] potential disciplinary exposure as supervisors.

In consideration of the foregoing, coupled with the fact that there were nine Scientific Services Bureau supervisors who attended this meeting and failed to take immediate corrective action with Subject Lillienfeld and did not complete an Intake report themselves, the reluctance on the part of the Complainants and inaction of the Scientific Services Bureau supervisors appeared on its face to be a systemic failure more than a personal reluctance to not report or intervene. With the approval of Equity Oversight Panel chairperson [redacted] and concurrence of both Captain Walters of Scientific Services Bureau and Lieutenant David S. Smith of Homicide Bureau, dialogue was initiated about how most appropriately address the failures in this matter while preserving the unique working relationships between these two highly specialized, interdependent units, and at the same time educating those involved about the Department's expectations with regard to adhering to the Policy of Equality. As such, it was agreed that the nine supervisors from Scientific Services Bureau would not be named as Subjects, but would receive performance log entries and additional training about their responsibilities as supervisors to monitor the work environment; those documents will become part of the original POE 08-180 intake case file. Accordingly, Subject Lillienfeld would apologize to his colleagues for his conduct during a scheduled period of dialogue between the involved units.

Witness [redacted]

[redacted] is a Senior Criminalist assigned to the Forensic Biology section of Scientific Services Bureau. She's been an employee of the Department for almost three years. Witness [redacted] said she arrived twenty to thirty minutes late to Detective Lillienfeld's presentation on July 24, 2008. One of the first things she heard him say was when he referred to a member of the decendent's family as a "broad"; she could not remember the exact context. Detective Lillienfeld also used profanity, but she did not have an issue with that. He made a remark that generally the criminalists' DNA reports are too complex and, if they were to find him staring at their chests, they should write their reports more simply (transcript, page 4).

Witness [redacted] said she's had no prior contact with Subject Lillienfeld. She said this meeting was mandatory, but she left during the second break because she did not appreciate Subject Lillienfeld's comments. Witness [redacted] said she wasn't all that offended; she sent her e-mail to her supervisor, [redacted] with the intention of explaining why she left a mandatory meeting early.

Witness [redacted] said the remarks weren't a very big deal to her, and if this was her choice, she would not have pursued the complaint as far as it had gone (transcript, page 5). Witness [redacted] e-mail is included as **Exhibit B**.

Refer to [redacted] *transcript.*

Witness [redacted]

[redacted] is a Senior Criminalist assigned to the Forensic Biology section of Scientific Services Bureau. She attended Subject Lillienfeld's July 24, 2008, presentation on the [redacted] double homicide at the Hertzberg-Davis Science Center. She has spoken to him on the telephone before several times and seen him at work, but they had not met. She had no prior issues with Subject Lillienfeld.

Witness [redacted] said she did not like Subject Lillienfeld's use of the term "broad" towards the sister of one of the victims. Witness [redacted] said she felt Subject Lillienfeld meant it as a term of affection. Witness [redacted] did not like that he commented about [redacted] and [redacted] (both criminalists) that he could put them in pigtails and make them bark like dogs (transcript, page 3). Witness [redacted] said she had tuned out Subject Lillienfeld at that point and could not give a context for the pigtail comment or what happened right before that comment was made. Subject Lillienfeld was also using profanity that "ran the gamut" (transcript, page 5).

Witness [redacted] said Subject Lillienfeld said that detectives are dumb, that they didn't understand the lab's DNA reports. The reports are over their heads. So if the criminalists saw them looking at their chests, just "dumb it down" for them (transcript, page 5).

Witness [redacted] said she didn't have to listen to this type of talk all the time; she was fine with it as long as she didn't have to go back to the meeting, which is why she left early and e-mailed her supervisor (**Exhibit C**). She felt ill about the way things turned out (transcript, page 6), meaning having to participate in an interview with the IAB investigator.

Refer to [redacted] *transcript.*

Subject Mark Lillienfeld

Mark Lillienfeld is a Homicide investigator and has been so assigned for seventeen years. He's been a Deputy Sheriff on the Department since 1980. Subject Lillienfeld said part of his duties involve training others, which he enjoys doing. Subject Lillienfeld said he was recently asked by some Crime Lab personnel to speak to them about case management, which is how he happened to make his presentation on July 24, 2008.

Subject Lillienfeld said that aside from training, he generally does not speak about the [redacted] double homicide case. He was the lead investigator on the case for the past fifteen years, which is the majority of his tenure at Homicide Bureau. Subject Lillienfeld said this case encompasses hundreds of thousands of pages of discovery and written reports. To his knowledge it's the largest case in volume in the history of the Sheriff's Department.

Subject Lillienfeld said he did use the term "broad," referring to the seventy-five year old Chairwoman of the [redacted] Subject Lillienfeld said he meant it in an affectionate way, and even referred to his late mother as a "great old broad" to the investigator (transcript, page 7).

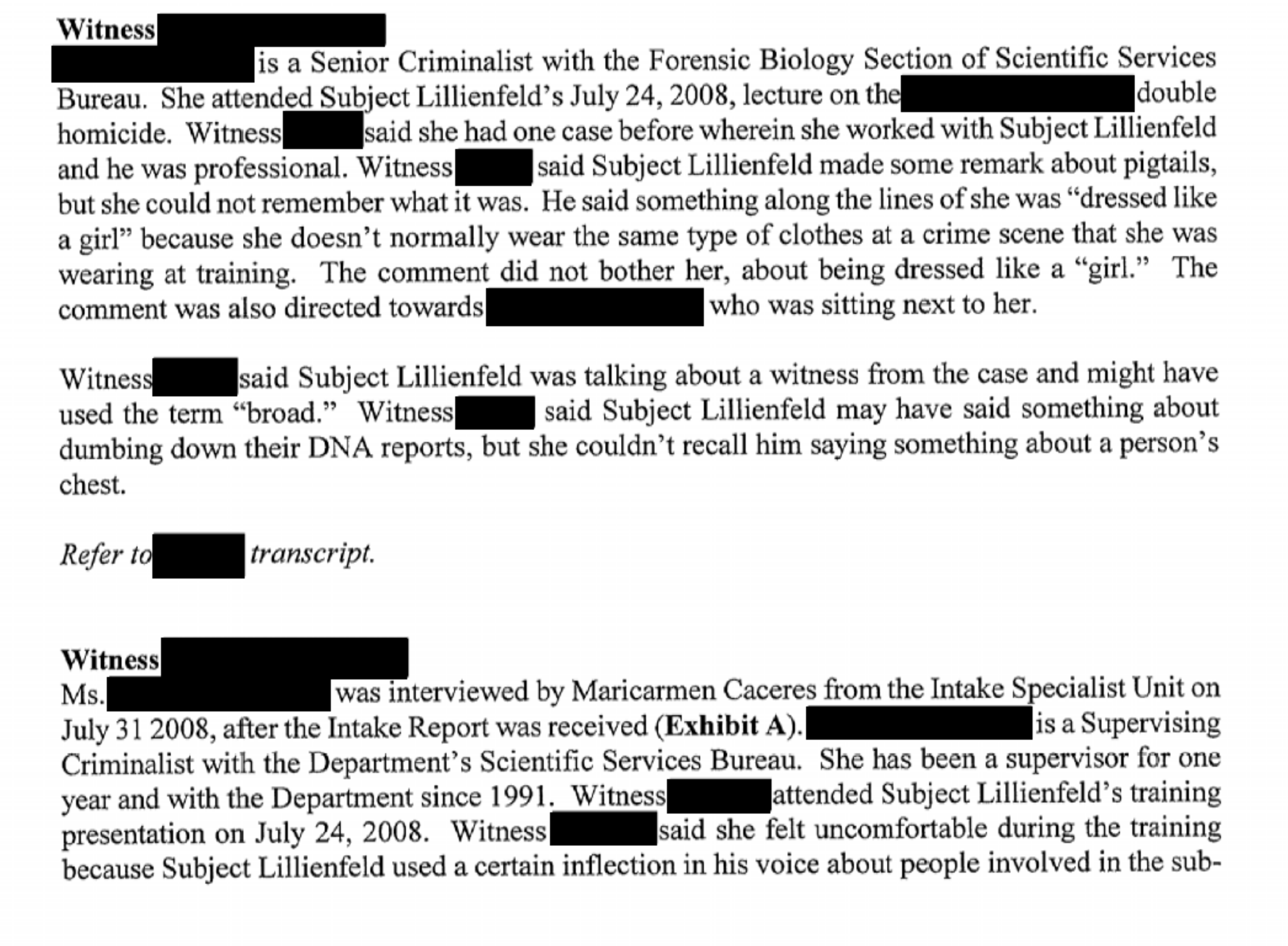
Subject Lillienfeld said he did comment about [redacted] and [redacted] during his

presentation, something about the next time they had lunch together they would have to wear pigtails. They had done a great job helping him on a serial murder case and he had taken them to lunch. He has since reflected on the inappropriateness of that comment.

Subject Lillienfeld did not deny that he could have made a comment about staring at someone's chest if their DNA reports were too complicated. He admitted to using "fuck" as an expletive during his presentation and regretted having done so.

> **IAB Note:** Towards the end of his Subject interview, Subject Lillienfeld posed several questions to the investigator about the nature of the Equity Oversight Panel and disciplinary remedies. Off the record, the investigator queried him about why he asked those questions. Subject Lillienfeld told the investigator it was because he did not have a representative with him and he was unfamiliar with the process. Subject Lillienfeld scheduled his Subject interview immediately after the investigator called him and waived his right to representation.

Refer to Lillienfeld's transcript.



Witness [redacted]

[redacted] is a Senior Criminalist with the Forensic Biology Section of Scientific Services Bureau. She attended Subject Lillienfeld's July 24, 2008, lecture on the [redacted] double homicide. Witness [redacted] said she had one case before wherein she worked with Subject Lillienfeld and he was professional. Witness [redacted] said Subject Lillienfeld made some remark about pigtails, but she could not remember what it was. He said something along the lines of she was "dressed like a girl" because she doesn't normally wear the same type of clothes at a crime scene that she was wearing at training. The comment did not bother her, about being dressed like a "girl." The comment was also directed towards [redacted] who was sitting next to her.

Witness [redacted] said Subject Lillienfeld was talking about a witness from the case and might have used the term "broad." Witness [redacted] said Subject Lillienfeld may have said something about dumbing down their DNA reports, but she couldn't recall him saying something about a person's chest.

Refer to [redacted] transcript.

Witness [redacted]

Ms. [redacted] was interviewed by Maricarmen Caceres from the Intake Specialist Unit on July 31 2008, after the Intake Report was received (**Exhibit A**). [redacted] is a Supervising Criminalist with the Department's Scientific Services Bureau. She has been a supervisor for one year and with the Department since 1991. Witness [redacted] attended Subject Lillienfeld's training presentation on July 24, 2008. Witness [redacted] said she felt uncomfortable during the training because Subject Lillienfeld used a certain inflection in his voice about people involved in the sub-

culture of race car driving from the South, but she could not recall what he said. Witness [redacted] said Subject Lillienfeld used the "f word" a lot as an expletive, but not referring to sexual intercourse. He also made a remark that sometimes important messages are lost because the person taking the message speaks English as a second language. Witness [redacted] characterized Subject Lillienfeld as "crass" (transcript, page 5). She added that it was "quite likely" Subject Lillienfeld referred to women as "broads" (page 6).

IAB Note: ISU interviewed Witness [redacted] without consideration for her role as a mandated reporter. ISU spelled the witness' first name [redacted] in its transcripts, although the correct spelling is as indicated in this document.

Refer to [redacted] transcript.

Witness [redacted]

[redacted] is a Supervising Forensic Identification Specialist assigned to the Latent Print section of Scientific Services Bureau. He was interviewed on July 31, 2008, by Maricarmen Caceres of the Intake Specialist Unit after the Intake Report (**Exhibit A**), was received. Witness [redacted] said he's been a supervisor for four years. He attended the training session on July 24, 2008. Witness [redacted] said Subject Lillienfeld used the term "fuck" and "fucking" during the training session as an expletive and some people felt that was inappropriate (transcript, page 2). Witness [redacted] said Subject Lillienfeld referred to the sport of race car driving because the murder he was talking about involved someone in that subculture; it wasn't derogatory. Witness [redacted] said there was some discussion about important messages being "kissed off" when witnessed called, but he couldn't recall if it was due to the person speaking English as a second language. Witness [redacted] said there was a reference to the term "broad," but Subject Lillienfeld used it "just generally" (transcript, page 4).

IAB Note: ISU interviewed Witness [redacted] without consideration for his role as a mandated reporter.

Refer to [redacted] transcript.

TRANSCRIBED INTERVIEWS

WITNESS

[redacted]

Kiser: Today's date is August 11th, 2008. The time is 9:11 AM. This is Sergeant Julia Kiser from Internal Affairs at Internal Affairs, regarding I.A.B. case number 2225402, and I am with [redacted] and Ms. [redacted] it's [redacted]?

[redacted] It's [redacted]

Kiser: Oh, [redacted]?

[redacted] Uh huh.

Kiser: I'm sorry. Is it [redacted]?

[redacted] Yes.

Kiser: And [redacted] is [redacted] and what is your employee number Ms. [redacted]

[redacted]: [redacted]

Kiser: Thanks. And you're just here for a witness interview.

[redacted]: Yes.

Kiser: Before we started I showed you the Witness Admonition and you're nodding your head.

[redacted] Yes.

Kiser: You signed it and checked the appropriate boxes.

[redacted]: Yes.

Kiser: Do you have any questions about this form?

[redacted]: No.

Kiser: You know you're just here as a witness in a matter which concerns another employee?

[redacted] Yes.

Kiser: And you are a Forensic Biology specialist?

[redacted]: Well my title is Senior Criminalist and I work in the Forensic Biology section at S.S.B.

Kiser: And how long have you been with the Department?

[redacted]: October it will be three years.

Kiser: And can you tell me, I'm showing you an email, this is dated July 24th, of this year from yourself to [redacted] and it's just one sentence about why you left a meeting early. Can you tell me what happened to cause you to write that?

[redacted]: Well, basically I didn't like the manner in which the detective was conducting his talk, as far as a couple of the comments. It was a long meeting and because it was as long as it was, I decided to leave early and that's why I sent that email.

Kiser: And where was the meeting at?

[redacted]: It was at the Forensic Science Center, and the Crime Lab.

Kiser: The one across from Cal State L.A.?

[redacted]: Yes.

Kiser: And did he use profanity?

[redacted] At times, but that's not something that bothered me. That wasn't what bothered me.

Kiser: What was it that bothered you?

[redacted]: Well I guess as a woman he used the term 'broad' a couple of times and I didn't like it and so after about an hour, hour and a half I decided to leave early.

Kiser: Can you give me a context in how it came out?

[redacted]: I don't remember exactly who he was talking about. He was giving a presentation about a crime scene where a bunch of things went wrong. Both of them on the crime scene side and the detectives side and he was talking about somebody involved. It wasn't somebody who worked here or anything. It was

somebody having to do with, I forget the person's name, but it had something to do with the victim's family or I'm not really sure who it was he was talking about. I came into the meeting a half an hour late.

Kiser: Okay.

[redacted]: And then I left early.

Kiser: Okay.

[redacted]: So I was a little lost at first and I was, I just didn't like that particular, those particular comments and that's why I left.

Kiser: Do you know this person at all on the Department, Detective –

[redacted] No.

Kiser: Let me spell it for my transcriptionist. It's L-I-L-L-I-E-N-F-E-L-D. You never met him before?

[redacted] No.

Kiser: Never had a run in with him?

[redacted]: No. Not at all.

Kiser: Alright. Is there anything else along the lines about gender issues that he said at that meeting?

[redacted] There was one other thing, he said something about, he said something about how our DNA reports are complex and if he, if you find him staring at your chest, it's because your DNA reports are too complicated and you should make them more simple.

Kiser: And what did that mean to you?

[redacted]: Well as a woman I just didn't appreciate it. I'm not, I don't consider myself easily offended and I just didn't appreciate it and if it had been a shorter meeting I probably just would have left and that would have been the end of it, but it was a mandatory meeting and it meant for me to stay for another three hours and that's why I sent the email, because I just didn't want to be there anymore.

Kiser: Was the 'broad' comment one of the first things you heard when you walked into the meeting?

[redacted]: Yeah. I walked in at 8:30 and it started, or 8:20 and it started at 8:00. And I guess it was probably like five or ten minutes into it. But he had already been talking for a half an hour.

Kiser: Okay.

[redacted]: I came in late.

Kiser: Alright. And then as far as looking at somebody's chest, you felt that was what? I mean I know what it would mean to me, but I'm not supposed to put words in your mouth.

[redacted]: I just didn't appreciate it. I have, I've experienced nothing but professionalism with all of my co-workers and all the detectives and all the deputies. And I was kind of surprised to hear something like that and it wasn't like I was so crazy offended or anything. I just, I, it was mandatory that I was supposed to stay there for another hour, hour and a half, two hours and I just decided you know what, I just really don't appreciate this. I don't want to listen to it anymore.

Kiser: Alright. Was there a break at all in between while you were there?

[redacted]: Yeah, and that's when I left.

Kiser: So was that the first break you participated in when you left or was there one in between?

[redacted]: I think there was one in between.

Kiser: Okay.

[redacted]: So at first I was kind of like alright, this isn't so bad and you know, I felt like he really did have something very constructive to say with his presentation.

Kiser: Okay.

[redacted]: But after I guess a couple of comments I said you know what, I'm just going to leave and that was you know, my choice and my email was meant to notify my supervisor that I left early and I, it was more of an intention of telling her why I left than how offended I was, which wasn't really all that much.

Kiser: Alright. Really those are all the questions I'm going to ask you. Is there anything else you want to say about that?

[redacted] Just that personally this isn't a very big deal to me and that I, if I had the choice I wouldn't have pursued this as far as it has gone.

Kiser: Very well. Thank you very much. I'm going to end the interview and it's 9:17.

WITNESS

[redacted]

Kiser: Today's date is August 11th, 2008. The time is 12:55. This is Sergeant Julia Kiser, K-I-S-E-R, from Internal Affairs at Internal Affairs, regarding case number 2225402, and I am with [redacted] and Ms. [redacted] if you could please give me your employee number.

[redacted]: It's [redacted]

Kiser: Thanks, and you know you're just here as a witness only in a matter which concerns another employee?

[redacted] Yes.

Kiser: And you signed the Witness Admonition?

[redacted] Yes.

Kiser: And the Department is actually afforded you the opportunity to bring Marlene Rinaldi with you here today?

[redacted] Yes.

Kiser: And Ms. Rinaldi, if you could just say your name.

Rinaldi: Marlene Rinaldi of P.P.O.A..

Kiser: Thank you. And you are assigned to the Forensic Biology section at the Scientific Services Bureau?

[redacted] Yes.

Kiser: And is that the office by Cal State L.A.?

[redacted] It is.

Kiser: And did you attend a meeting July 24th?

[redacted] I believe that was the date.

Kiser: And then this is an email which is purported to be from you to [redacted]

[redacted]

Kiser: [redacted] on July 24th, that says you left the meeting early because of how the presenter was presenting himself. Could you just, in your own words, tell me what happened to cause you to write that?

[redacted] Well, what caused me to write that was that it was a mandatory meeting and I just didn't like his delivery and decided to leave during one of the breaks and because it was a mandatory meeting, I don't remember who, but someone mentioned that it might be a good idea to let my supervisor know that the reason why I left and so that's what I did and there were no repercussions for me leaving and I felt it was taken care of, no harm, no foul. I was fine. And that was what I thought was the end of it.

Kiser: What, did you leave during the first break or the second break? Do you know what break you left during?

[redacted] I believe it was the second.

Kiser: And was this person the only presenter up until that point?

[redacted] Yes.

Kiser: Do you know if they were making the whole presentation for that particular meeting or –

[redacted] I believe so.

Kiser: And what was the topic?

[redacted] It was the [redacted] double homicide. [Background noise.]

Kiser: Can you hold on one second? I've got to get the housekeeper to turn the vacuum off. (Unintelligible) sorry. Alright, I'm sorry. A little background noise there. Did you know, you know the detective's name?

[redacted] Lillienfeld.

Kiser: Have you ever come across him before, met him at a scene or interacted with him at work?

[redacted] I believe that, I believe he's been, I've seen his name on at least one of my cases and spoken to him on the phone over the past three or four years and I have seen

him come into the lab, but we've never met before. This is the first time I've ever heard him speak.

Kiser: So you didn't have any prior issue with him at all?

[redacted] No.

Kiser: And then was there –

[redacted] And I still don't.

Kiser: Were there any comments that were gender based that you heard that day?

[redacted] As far as, can you, can you kind of say –

Kiser: What was he saying that you had an issue with? Was it directed towards a certain individual, was it directed toward a group?

[redacted] Yes, towards –

Rinaldi: You need to be candid, even if it's difficult.

[redacted] It was, I didn't like the use of the word 'broad'. I wouldn't like any woman in my family referred to that way and I didn't like, he made a comment about a couple of my colleagues that I believe was not intended to offend, but I didn't like it.

Kiser: Were they at the meeting?

[redacted] They were. Oh, they were, and I don't think they have any problem with it or anything like that.

Kiser: Okay.

[redacted] I just –

Kiser: What was the comment?

[redacted] He said, and I don't remember exactly, but it was something like he can put them in pigtails and make them bark like dogs.

Kiser: Wow, and what was the reaction to that?

[redacted] Laughter.

Kiser: And why would he say put them in pigtails?

[redacted] I don't know.

Kiser: What happened right before that comment?

[redacted] I had at that point really not –

Kiser: Tuned him out?

[redacted] Yeah.

Kiser: Okay.

[redacted] But again, I, he had worked with these individuals and they were friends and so.

Kiser: Did they talk to you about it later at all?

[redacted] No.

Kiser: And that's [redacted] and [redacted]

[redacted] [redacted]

Kiser: [redacted] that's a lady?

[redacted] Yes.

Kiser: And –

[redacted] They didn't speak to me about it.

Kiser: Okay.

[redacted] I asked them how they felt and they both said they were fine.

Kiser: What was the context of the 'broad' comment coming up?

[redacted] He was referring to one of the victims' sisters and apparently they were friends also. He spoke kindly of her in other ways. It's probably his term of affection.

Kiser: Is that what you really think?

[redacted] He didn't seem like he didn't like her.

Kiser: Was he using profanity?

[redacted] Yes, but I wasn't offended by that at all.

Kiser: And was that a particular word?

[redacted] It ran the gamut.

Kiser: Did he say anything about any other protected class, like targeting anyone's race?

[redacted] No.

Kiser: Religion?

[redacted] No.

Kiser: National origin?

[redacted] No.

Kiser: It seemed to be gender? The only comments you're telling me about are gender based.

[redacted] Yeah, I mean that I noticed anyway.

Kiser: Alright. Those are all the questions that I had really. Did you hear comments about looking at someone's chest?

[redacted] Yes, actually.

Kiser: What did you hear about that?

[redacted] Something to the effect of, well he was being somewhat self deprecating and saying you know, you know detectives are dumb, we don't get your, you know, your DNA reports. They're over our heads. So if you see us looking at your chest, you know, just dumb it down for us.

Kiser: And what did that mean to you? I mean I know what it means to me, but I can't tell you what it means to me. What does that mean to you?

[redacted] It meant that he felt very comfortable to say that.

Kiser: He was talking about a woman's breast, right?

[redacted] Yeah.

Kiser: I (unintelligible).

[redacted] I assumed. I don't know (unintelligible).

Kiser: Alright. So those were all the questions that I had. Is there anything else you want to say? I know you're reluctant to be here today.

[redacted] Yeah. I never meant for this to go this way and I felt it was handled just fine at the supervisory level as far as me not having to you know, I didn't have to go back to the meeting. There was no problem with that and you know, I don't have to listen to that kind of thing all the time. So I was fine with it. I feel really kind of ill about the way things have turned out and I wanted to get through my whole career without something like this.

Kiser: Alright. Thank you very much for your time. You don't have to run off. I'm going to end the record and ma'am, could you give me the time please? Do you mind?

Rinaldi: It's three minutes after one.

Kiser: Thank you very much.

WITNESS

[redacted]

IAB CASE NO. IV 2225402
WITNESS INTERVIEW
[redacted]

Kiser: We are on tape. Today's date is August 12th, 2008. The time is 1:51 PM. This is Sergeant Julia Kiser, K-I-S-E-R, on the telephone with [redacted] as in [redacted] And Ms. [redacted] you know I'm tape recording you right?

[redacted] Yes.

Kiser: And this is in regards to I.A.B. case number 2225402, and I will read the witness admonition to you. It says you're about to be questioned as a part of an official Los Angeles County Sheriff's Department administrative investigation. You're here as a witness in a matter which concerns another employee. The complainant has not filed a complaint against you and you are not under investigation as a subject in this matter. Do you have a policy and ethics chapter of the manual of policy and procedures?

[redacted] Yes.

Kiser: Are you familiar with its contents?

[redacted] Yes.

Kiser: Thank you. You are hereby advised that the provisions of the Government Code generally referred to as the Peace Officers' bill of rights do not apply in this instance. You are specifically reminded that policy and ethics sections 3-01/040.70 and 3-01/040.75 require that you make full, complete and truthful statements. Any refusal to do so may result in your discharge or other punitive actions. Personnel being interviewed as witnesses only and who are not under investigation or not personally charged with any violation do not have a right to have a representative present during the interview. If it is determined during the interview that the employee is likely to be subject to discipline, the interview shall be stopped and the employee shall be advised that his or her status has changed to that of a subject. In the event the witness declines to answer questions on the grounds of self incrimination, the witness employee shall be re-advised of his or her administrative rights as though he or she were a subject. You're being ordered not to discuss the facts of this case or any of the issues discussed during your interview after we're done right, obviously.

[redacted] Right.

Kiser: Because I'm calling to talk to you about the case. Okay. You have any questions about the admonition?

[redacted] No.

Kiser: And you're a Senior Criminalist?

[redacted] Yes.

Kiser: In the Forensic Biology section of Scientific Services Bureau?

[redacted] Yes.

Kiser: And how long have you been with the Sheriff's Department?

[redacted] Approximately five years.

Kiser: And do you know who Detective, I'm going to spell this, it's Lillienfeld, L-I-L-L-I-E-N-F-E-L-D is?

[redacted] Yes.

Kiser: Is he anyone that you know or have worked with before?

[redacted] Yes, I have worked with him.

Kiser: And how would you characterize your working relationship with him? Or do you have one?

[redacted] Well, it's, I've only worked one case with him. So I would say it's just as an acquaintance.

Kiser: He's not anybody that you're well acquainted with I take it?

[redacted] No.

Kiser: And that one instance that you did have a case with him, was he professional?

[redacted] Yes.

Kiser: And did you attend the recent training session on I think it was July 24th, of this year?

[redacted] Yes.

Kiser: And he was the speaker there?

[redacted] Yes.

Kiser: And I understand there was quite a large group in attendance?

[redacted] Yes.

Kiser: And did you here Detective Lillienfeld make some remarks about you or a colleague of yours and something about pigtails?

[redacted] Yes, but I can't remember the exact phrase. I actually didn't remember the pigtails until you mentioned it.

Kiser: Do you remember anything about the pigtails comment or what the gist of it was, even if you don't remember the exact quote, what was the meaning behind it?

[redacted] I'm, no. Sorry.

Kiser: Something about put you in pigtails?

[redacted] Maybe, I'm sorry. Maybe. I remember him saying that I was dressed like a girl that day. But other than that, I can't remember what he said.

Kiser: Is there a comment that you do remember?

[redacted] He said something like, "Nice to see you. You're dressed like a girl today."

Kiser: And I mean how did you feel about that? Did he say that in front of the whole group during the class or –

[redacted] Yeah. He said it during the whole group. Well no, it didn't really bother me, because usually when I interact with detectives I'm at a crime scene and I'm not dressed up. So I mean it wasn't untrue. Don't know, it didn't really bother me.

Kiser: Did you feel it was a little bit too much attention in a group towards you or did it mean anything to you?

[redacted] No. I mean he was referring to a case. He was pointing me out because we were discussing, he was discussing a case I had worked for him.

Kiser: Okay.

[redacted] So he was going somewhere with it, because he was talking about a case I had worked for him.

Kiser: Okay.

[redacted] So I didn't feel singled out or anything like that.

Kiser: Did you feel it was a neutral comment for him to make? Do you think he was being inappropriate at all?

[redacted] Well, to be honest, it's not really, I don't know. I would just say other, in the Department it's not unusual for off the cuff remarks to be said. So it wasn't, I don't know. I didn't think it was all that strange.

Kiser: Did it bother you?

[redacted] No.

Kiser: Were you sitting next to, I have to look at the name here I'm sorry. There's a lot of names involved.

[redacted] That's okay.

Kiser: Were you sitting near [redacted]

[redacted] Yeah, we were sitting next to each other.

Kiser: Did he say anything about [redacted]?

[redacted]: Something similar from what I recall about her also dressing like a girl that day, because we worked on that case together.

Kiser: And did [redacted] say anything about it later to you?

[redacted] No.

Kiser: Did you hear Detective Lillienfeld refer to women in any kind of vernacular term or anything that might be a little gender biased?

[redacted] Well I mean I, I think he used the word 'broad', but I'm not positive. But that's the, that might be the word he used.

Kiser: Can you tell me a little bit more about that?

[redacted] I think he, when he was doing his presentation he talked about different subjects in the case that (unintelligible) possibly or just witnesses and he might have, when describing a woman, used that term.

Kiser: Okay.

[redacted] As, "Oh, she was –." I don't know, "A nice looking broad." or something like that.

Kiser: Oh dear. And did that have a particular –

[redacted] I'm sorry.

Kiser: That's okay. Did that have a particular –

[redacted] I'm honestly like, I'm, I'm, this is not verbatim.

Kiser: Okay.

[redacted] I'm trying to recall the impression I had.

Kiser: Right. Well that's what I want. I know it's been a little bit of time and I don't want to feed you any answers. Did that word have any particular impact on you?

[redacted] No.

Kiser: How did you feel about it?

[redacted] [No response.]

Kiser: Neutral?

[redacted] Neutral.

Kiser: And did you hear him say anything about DNA reports and looking at someone's chest?

[redacted] No. If I did, I don't recall.

Kiser: And let me put it in a context for you.

[redacted] Okay.

Kiser: And that would be that the DNA reports that the forensic biologists are preparing are complicated. So if he's staring at your chest, then write a more simplified report or dumb it down, or words to that effect. Anything like that?

[redacted] Maybe.

Kiser: Okay.

[redacted] I remember him discussing dumbing down the reports.

Kiser: And were you there for the whole session?

[redacted] Yeah, yeah. I'm sorry, my memory is so poor.

Kiser: That's okay. Overall did you have an opinion about the training?

[redacted] It was a little long. I think he had a lot of side stories that could have been pared down, but it was informative. But I would say it was, we do a lot of case presentations and this one I would say was more, was in a less professional tone than what we typically have at the lab.

Kiser: Was he the only presenter that day?

[redacted] Yes.

Kiser: And you stayed for the whole session?

[redacted] Yes.

Kiser: Alright. Was there anything else along those lines that you can tell me about from that day?

[redacted] I don't think so.

Kiser: If you do think of something later we can do a follow up interview, but –

[redacted] Okay.

Kiser: Thank you very much. Don't hang up. I'm going to end the tape.

[redacted] Okay.

Kiser: And we'll go off the record and it's 2:01, thank you.

WITNESS

[redacted]

Caceres: Today's date is Thursday, July 31st, 2008. The time is approximately 9:50 a.m. My name is Maricarmen Caceres, my last name is spelled C-a-c-e-r-e-s. My employee ID number is [redacted] and I'm conducting a telephone interview with [redacted] regarding Policy of Equality Report No. 08-180.

And for the record, Miss [redacted] can you please state your full name, spell your last name and state your employee ID number.

[redacted] Yes. [redacted] My employee number is [redacted]

Caceres: Thank you. And I apologize for mispronouncing your last name.

[redacted] That's all right.

Caceres: Can you tell me how long you've been with the Department or what your initial date of hire was?

[redacted] My initial date of hire was April 1st, 1991.

Caceres: Okay. And where are you currently assigned?

[redacted] Assigned to the Scientific Services Bureau, Latent Print Section.

Caceres: Okay. And how long have you been on that assignment?

[redacted] Almost a year.

Caceres: All right. And what is your current title or position with the Department?

[redacted] Supervising Criminalist.

Caceres: And how long have you been a supervising criminalist?

[redacted] Since September of 2007.

Caceres: Okay. And prior to that, what was your assignment?

[redacted] Senior Criminalist.

Caceres: Within Scientific Services Bureau?

[redacted] With Scientific Services Bureau, yes.

Caceres: How long were you in that position?

[redacted] I was in that position for about 15 years.

Caceres: Okay. Well, all right. Thank you very much. And I was contacting you, like I said, regarding Policy of Equality Report No. 08-180, and we received that notification yesterday, July 29th -- excuse me, July 30th, and it was regarding, apparently, a training session that occurred. I don't have the date of the training session itself.

[redacted] July 24th.

Caceres: Okay. So training session that was held on July 24th by a "Detective Mark Lillienfeld." And from what I understand, you were in attendance so I was contacting you today to just find out what exactly it was that you heard during that session or what occurred.

[redacted] Okay. During the session, Detective Lillienfeld's presentation, he initiated the presentation and ended the presentation by apologizing if he offended anybody -- probably not a good start.

Caceres: Okay.

[redacted] But during the presentation, he did refer to -- well, he made comments about the race car driving as being, I don't know, not a sport and referring to southerners in a bit of a derogatory way regarding watching race car driving.

Caceres: Okay.

[redacted] I don't even recall the exact words that he used.

Caceres: Do you remember what made it come across to you as in a derogatory manner?

[redacted] I think just the inflection that he used, and to the best of my recollection, there was -- there was some negativity that he associated with it, unfortunately, I don't recall the exact words that he used.

Caceres: And when you say it could have been derogatory to southerners, is it based on their race? Based on their accents? Why would it have been offensive maybe to southerners themselves or?

[redacted] I believe it was directed towards white southerners, to the best of my recollection again.

Caceres: Okay. All right.

[redacted] And then another incident during the talk that stands out as potentially offensive, I mean other than using the "F" word a lot, was he made the comment about getting department personnel or secretaries to answer the phones and he implied that hopefully they would not have English as their second language but that they would be able to speak English.

Caceres: Okay. Anything else?

[redacted] There was nothing else that I can recall. I just remember it was a bit uncomfortable in there because he did use a lot of cursing and a lot of things could have been taken as potentially offensive, but I don't know in the offensive in just that he's crude or in that, like I said, in the white southerner way that he could have offended somebody, perhaps they like racing and maybe he was making a comment about them because of that.

Caceres: Okay. Well, let me start by asking you what was the training supposed to be about?

[redacted] It was regarding the [redacted] murder of, I think, from 1988. And the talk was about how many ways the Sheriff's Department messed up that investigation.

Caceres: Okay.

[redacted] Or ways they could have done it better.

Caceres: So it's supposed to be maybe a learning tool for better techniques or?

[redacted] Yes.

Caceres: Okay. And so during this training session, you indicated that he used a lot of cursing and the "F" word in particular?

[redacted] Yes.

Caceres: And I apologize if I ask you to try to be as specific as possible, but just so I can get an understanding of exactly, can you give me some examples in what text or context he used the "F" word or any other foul language?

[redacted] Yeah. And is it okay if I use it?

Caceres: Absolutely.

[redacted] Okay.

Caceres: Yeah.

[redacted] Well, in his talk, he would indicate -- and he would indicate that the Sheriff's Department really "F'd" that up. And he would look over and say, "See? I didn't say fuck that time."

Caceres: Okay.

[redacted] So, I mean, it was amusing and it was, you know, it was certainly in an adjective-type of sense of the word. That one was just you would call it a verb.

Caceres: Okay.

[redacted] And but it certainly wasn't about actually having intercourse.

Caceres: All right. And when using the "F" word was he -- and I realize that it's probably difficult to remember every time he said it, but were they ever directed to any individual in particular or?

[redacted] To the best of my recollection, they were not.

Caceres: Okay. Any other cursing words than the "F" word?

[redacted] I'm sure there were, but I did not really pay attention to the cursing. It could have been a "damn" here and there but.

Caceres: Did you stay for the whole training session?

[redacted] I did. I know it doesn't sound like it, but I did.

Caceres: All right. And then the comment regarding getting Department secretaries to answer the phone and that hopefully English was not their second language. How did that come up?

[redacted] I believe during the investigation, there were witnesses who had tried to contact Homicide and tried to contact investigators regarding things that they had seen, and they were, at times, blown off. And I think he was implying that maybe people who were answering the phones didn't do a good job answering the phones and perhaps that might have been a reason why.

Caceres: Okay. That perhaps because they didn't speak English as their primary language?

[redacted] Yeah, that was the impression I got.

Caceres: Okay. All right. Is there anything else that came to mind, that comes to mind that occurred during that training?

[redacted] No. You know, the training itself, the whole piece was informational and valuable in that sense, but I think it lost a lot of value in the way he presented it because of how crass he is.

Caceres: Okay.

[redacted] And again, he did apologize in the beginning and in the end for potentially offending everybody.

Caceres: Okay. All right. Let me just ask you then during the entire training, was there anything, any comments made that were of a sexual nature?

[redacted] I don't recall any. It doesn't mean it didn't happen.

Caceres: And apart from the comment in reference to non -- or English as a second language, support staff answering the phone, were there any other comments aside from the NASCAR comment, was there any other comments that come to mind that may have been in regards or disparaging to people's national origin or ancestry or race or anything of that nature?

[redacted] The only comments he made about race, one of the subjects what black, and I think the first witness indicated that both people there were black. And there was -- and he kept going back to -- to, you know, we weren't looking at the right people because we were looking for two black people. So I don't remember if there was anything in a derogatory sense about that whole situation. I don't recall anything derogatory being involved there.

Caceres: Okay. And is that because the suspects ended up not being black?

[redacted] One of the suspects ended up not being black.

Caceres: Okay.

[redacted] At least as far as we know. I guess two subjects are still outstanding so one of them might have been.

Caceres: Okay.

[redacted] There was witnesses saw a white and a black person in a car the day before the incident, and the Sheriff's Department blew it off because they were looking for two black people, so they didn't associate the two. And I don't recall if anything derogatory was said in that exchange.

Caceres: Okay. Any other either race or national origins or ethnicity kind of comments related to those issues?

[redacted] Not that I can recall.

Caceres: Okay. Then the last question I had was with respect to the context of the training is, were there any comments that were disparaging based on sex towards females specifically or towards -- whether it be towards male or female, doesn't matter, just based on people's sex?

[redacted] Not that I can recall.

Caceres: Okay. Do you recall if he ever referred to women as "broads"?

[redacted] I would say that's quite likely.

Caceres: Okay. All right. And then do you know about how many people were in the training session?

[redacted] Around 100.

Caceres: Okay. Did you schedule your people from your section for you?

[redacted] No. Another supervisor in my section did.

Caceres: Okay. Who? What supervisor was responsible for scheduling people in your section?

[redacted] [redacted]

Caceres: Okay. So if I needed a list of attendance, she would be one of the people to go to?

[redacted] She may have the list; she may not. I asked her the day before who was going and she didn't give me a specific list.

Caceres: Okay.

[redacted] But she may have a list by then.

Caceres: Okay. Is there anyone that you can particularly remember that would be interested or willing to speak to me regarding the issue?

[redacted] I do not know. I can ask.

Caceres: That would be great. If you can find anybody that would be willing to talk to me about the issue, I'd appreciate it. I'll give you my direct number before I hang up with you, but if there's anything else, any other details that you would like to add for the record before we conclude the interview?

[redacted] No, nothing I can think of.

Caceres: Okay. Then we're going to go off tape and the time is 10:03 a.m.

WITNESS

[redacted]

Caceres: Today's date is Thursday, July 31st, 2008. The time is approximately 10:26 a.m. And my name is Maricarmen Caceres. My last name is spelled C-a-c-e-r-e-s. My employee ID number is [redacted] and I'm conducting a telephone interview with [redacted] regarding Policy of Equality Report No. 08-180.

And for the record, Mr. [redacted] could you please give me your full name, spell your last name, and state your employee ID number.

[redacted] Yes. My name is [redacted] and the last name is spelled [redacted] I am -- my employee number is [redacted] I'm a Supervising Forensic Identification Specialist. I've Been with the Sheriff's Department ten years, and I'm not sure what other information you want.

Caceres: That's fine. Do you recall your initial date of hire?

[redacted] It was in July 1998.

Caceres: Okay. And you indicated you are a supervisor. You've been a supervising forensic identification specialist?

[redacted] That's's correct.

Caceres: And what unit are you currently assigned to?

[redacted] Latent print section of the Scientific Services Bureau.

Caceres: Scientific Services Bureau. Okay. And how long have you been in the position of a supervisor?

[redacted] About four years.

Caceres: Okay. So since around 2004?

[redacted] Yes.

Caceres: Okay. All right. And --

[redacted] It may be three years. It might be 2005. I can't remember exactly when.

Caceres: Okay. That's fine. And I was speaking with you today regarding a training session that occurred, if I'm not mistaken, on July 24th, 2008; is that correct?

[redacted] Yes.

Caceres: Okay. And the training was conducted by Detective Mark Lillienfeld? And we had received some reports that there was some maybe inappropriate comments or conduct during the training session, and I'm interviewing you to ask you today to provide me with whatever information you may have regarding what occurred during that training session.

So why don't you just go ahead and start from the beginning and just tell me to the best of your recollection what you heard or what you experienced.

[redacted] Okay. I attended a -- it was a training session. Actually, Detective Lillienfeld was presenting a case scenario of the [redacted] case and some of the mistakes that were made during that investigation and trying to point out to the laboratory and to the rest of the other personnel, I believe, even from LAPD who attended that. Mistakes that were made and maybe ways to not make those same mistakes in other investigations.

So he gave a very informative presentation. He talked about particulars in the case, how the evidence was handled or not handled or collected or not collected. And he used some language that was probably some people felt was inappropriate. He used the "F" word, and used "fucking" as a way to describe what his impressions or how he -- just the way of his description of the, maybe, the adjectives to describe how he felt the stuff was handled.

And I felt it was just part of the presentation and his way of describing different -- what actions took place and why they were, basically, screwed up. He just used a different word to describe that. I personally wasn't offended by it. It's part of our job. We hear this terminology consistently in investigating processes at crime scenes, and to me, it was just one way of describing what was -- how you explain the actions or inactions of an investigation.

So, but maybe some people were offended by it. I wasn't personally, but I know it's something that needs to be addressed, probably.

Caceres: All right. Well, let me ask you. You said he used the term "fucking" in a manner to describe certain situations or how things were handled. Did you find at any time during the course of the training that he used the term in a sexual manner?

[redacted] No, not at all.

Caceres: Okay.

[redacted] It was just a word to describe -- just an adjective or a way to describe what took place under that -- during that part of the investigation. So, you know, it's maybe a poor choice of words and it offended some people, however, I know. I've been -- I've only been on the Sheriff's Department for ten years, but I've been in this business for almost 50 years, and I'm retired from the Long Beach PD, and I also worked LAPD prior to that. And this type of conversation or the way of describing what you are doing, to me, is happens consistently. It's just the way it is and it is the way, I believe, in presenting it. And it wasn't nothing sexual as far as that. It was just a way to describe what took place.

Caceres: Now as the training began, did you see him apologize in advance for anything that he may say that is offensive?

[redacted] Yeah, I think he did. If I -- my recollection is that he did say that he may offend somebody but that's kind of the way he is. That's the way he makes his presentation is to try to make a point to put a little more emphasis, perhaps, and it is his way of doing that. But I thought he was up front. He indicated that that's just his way of making a presentation or describing it.

Caceres: Okay. And what about during the course of the training? Did you hear him make a comment with respect to NASCAR and the South or something to that effect?

[redacted] To NASCAR?

Caceres: Uh-huh. He discussed NASCAR racing and I'm not sure, I guess southerners participating in that sport or something to that effect?

[redacted] Well, he referred to the sport because [redacted] and his partner were -- one was in one type of racing and I believe motor cross and [redacted] I believe, he stated was in NASCAR and which is -- is -- and he -- as I remember his statement was that it's -- it was an industry that takes place a lot and is very active in the southern states. And other than that, I don't think he said anything derogatory, something about the industry. He's just presenting [redacted] was part of that industry and very active in that industry and that was kind of developed. It's very -- it has a big following in the south and that's where he kind of generated it from. It all started back there.

Caceres: Okay. And just for clarification because I don't have very information on that comment in particular, was there anything about the way he presented that comparison or analogy? I'm not sure exactly how he used it, that would have been offensive to either Caucasians or implication to poor Caucasians or just southern -- being derogatory in any manner?

[redacted] I didn't. I'm not aware of that. I don't recall hearing anything derogatory about that.

Caceres: Okay. What about during the course of the training, did you hear him comment about support staff within the Department taking phone calls from the public or from, you know, incoming calls to the department and then their ability to speak English or English being their secondary language?

[redacted] I believe there was some there. I'm not sure it was derogatory. It was more of an explanation of people getting calls from different areas of the department and, basically, kissing to call off when there may have been important information that could have helped in this particular case.

They were dealing with witnesses calling in and they weren't taking the information. They were just -- they were not responsive to the caller. And he was making that, I think that as a statement and would say, you know, you test something, you're obligated to take that information. When you kiss off of witnesses or someone calling in with information, you are obligated take that information or to pass it onto someone else.

But I'm not sure -- I didn't feel anything about different, the language barriers or the any problem with language.

Caceres: Okay. Did he make a point similar to that, something about their inability to speak English or English being their second language? Did that somehow come up?

[redacted] It may have. I don't recall that comment in that manner. I don't recall that.

Caceres: Okay. All right. And then the last question I had is when during the course of the training did he refer to females as "broads"?

[redacted] I'm not -- I -- and I don't want to misstate it. I don't -- I think it -- the only time that may have been made was, I believe, there was an attorney, a defense attorney, that was running them through the -- do almost a new investigation on the whole cases during the trial thing that he may have referred to as a "broad," but just in general that it was no -- he didn't stay with it. He just made the term but the statement but it's just a general statement, not to touch what kind of woman she was.

Caceres: Okay. And is there anything else that I haven't gone over that sticks out in your head that I overlooked or something you want to add for the record?

[redacted] No. I think you covered it pretty well. I'm trying to remember all of the little things that went on, but I don't have any additional statements.

Caceres: Okay. Well, if there's anything else that comes to mind after we hang up and you have an opportunity to reflect on it. Well, you have my direct dial. Please feel free to call me back.

[redacted] Okay.

Caceres: And as for right now, I don't have any other questions for you so I'll conclude the interview unless there is anything else you would like to add?

[redacted] No.

Caceres: Okay. We'll conclude the interview and the time is 10:39 a.m., and we're off tape.

SUBJECT
MARK LILLIENFELD

IAB CASE NO. IV 2225402
SUBJECT INTERVIEW
MARK LILLIENFELD

Kiser: Today's date is August 14th, 2008. The time is 10:05 a.m. This is Sergeant Julia Kiser, K-I-S-E-R, from Internal Affairs regarding I.A.B. #2225402. And I'm with Detective Mark, with a K, Lillienfeld, L-I-L-L-I-E-N-F-E-L-D. And Detective, if you can please give me your employee number.

Lillienfeld: [redacted]

Kiser: And you know that I'm here today for what we call a Subject interview. Right?

Lillienfeld: I understand that.

Kiser: And you have read your Administrative Rights for Sworn and Non-Sworn Subjects, and you have checked the appropriate box here and signed down at the bottom. Do you have any questions about this form?

Lillienfeld: I do not.

Kiser: Do you understand it?

Lillienfeld: I do.

Kiser: And you also are here...we're actually in Homicide in a private office without a representative.

Lillienfeld: That's correct.

Kiser: Did I say anything to you to get you to talk to me without a representative?

Lillienfeld: Absolutely not.

Kiser: Thank you. And could you just tell me a short synopsis about your assignment here at Homicide? Obviously, you're investigating homicides, but just if... because it's an Equity case, the Equity Oversight Panel, they're not employees. So they might not be familiar with what it is specifically that a Homicide Investigator does.

Lillienfeld: No problem. Our primary function here, and my primary function, is to investigate homicides. We also investigate other matters of death including non-criminal deaths, including suicides, accidents, non-attended medical deaths, SIDS

deaths. Things of that nature. We also are discharged, or charged with the responsibility of investigating Deputy-involved shootings on the Sheriff's Department that result in a death or injury. And we also investigate officer-involved shootings for about 30 other police agencies here in Los Angeles County. Those are our primary duties and functions here. And those are amongst my primary duties.

Kiser: And is there a particular team that you're assigned to?

Lillienfeld: I am on Team Number 1.

Kiser: Does that mean anything like that's the best team or....

Lillienfeld: No, not at all. Not at all. We're, we have about....

Kiser: It's numerical?

Lillienfeld: Yes. We have about 76 Detectives on the squad room floor and they're divided into six teams equally with roughly 12 to 14 Detectives on each team.

Kiser: And do you get involved in training at all as far as your duties?

Lillienfeld: I do.

Kiser: And can you just tell me a little bit about that?

Lillienfeld: I teach four times a year a class on scene investigation and major case management at the Homicide Detective School, which is a two-week school presented at the Sheriff's AOT Bureau that puts it on. It's normally at a hotel. And it's attended by students from all over the United States as well as Canada and Mexico that are newly assigned Homicide Detectives. I also train sporadically different police departments in major case management from the Long Beach Police Department, where I've trained every officer from the rank of Sergeant up to Chief. I've spoken at the El Monte Police Department amongst these same issues as well as additional training on the investigative responsibilities, and the Government Code sections governing the Peace Officers' Bill of Rights regarding officer-involved shootings. I've also trained a variety of other agencies and municipalities in homicide investigations as well as case management, major case management. I've lectured around the United States on homicide investigations.

Kiser: I feel like I'm doing voir dire.

Lillienfeld: Yeah, that's it...me too.

Kiser: How long have you been in Homicide?

Lillienfeld: 16 and a half years. Almost 17 years.

Kiser: Congratulations.

Lillienfeld: Thank you.

Kiser: And your rank is actually a Bonus II Investigator. But it's not because you're a line supervisor. It's by virtue of your investigative duties.

Lillienfeld: That's correct.

Kiser: Right? Okay. And do you enjoy training? Is that something you enjoy doing?

Lillienfeld: Yeah. Yeah. I like it okay. Well, I like to think, for the most part, with the exception of this, that I'm imparting pretty important knowledge, and I can make the system go a little better. So the answer is yes.

Kiser: I'm showing you, for purposes of my transcript, Exhibit D. It's your training record. And recently, the end of last year, all Department members had to sign for a copy of the Policy of Equality. And this indicates that you received that copy on or about October 23rd, 2007. Does that seem about right?

Lillienfeld: Yes, that's accurate.

Kiser: And then your TRS indicates you went to [redacted] Does that seem about right?

Lillienfeld: Yes.

Kiser: And can you just give me a very short synopsis of your understanding of the Policy of Equality?

Lillienfeld: Clearly, it's to treat people with respect and not offend them and it's, you know, I'm sure, based in the core values of the Department. Pretty simple stuff that pretty much anybody that grew up here in America knows, knows how to treat people properly.

Kiser: The, the training that you conducted that...I spell things for my transcriptionist...the Hertzberg, H-E-R-T-Z-B-E-R-G - Davis Forensic Science Center on July 24th, 2008. How were you chosen to make that presentation?

Lillienfeld: Yeah. Well, I don't know the answer to that one, Julia. I was asked by some Crime Lab personnel to, to speak to them about case management and things along those lines. I had spoken pretty recently at a function, a conference put on by the California State Identification Association, which is a group of professional criminalists and crime lab people from all over the State. And I had spoken at that. And some of those people attending that evidently had imparted that I had something of value to say, and so some Crime Lab personnel asked me to speak that particular day.

Kiser: Do you have any idea how many people attended? Just roughly?

Lillienfeld: Yeah. About 100.

Kiser: And do you know if they were employees?

Lillienfeld: I do. And they were.

Kiser: And there were some from outside agencies?

Lillienfeld: I believe there were two or four employees from LAPD there that I met.

Kiser: And you were the only presenter as far as you know?

Lillienfeld: Yes.

Kiser: Unless something happened after you left.

Lillienfeld: Correct.

Kiser: Right. And the topic was the [redacted] double homicide case?

Lillienfeld: Yes.

Kiser: And you were the lead investigator on that?

Lillienfeld: Yes.

Kiser: And that was, I understand, a rather complicated case. Without putting all the case stuff on the tape, because I'm not sure that's relevant, but it went on for quite some time.

Lillienfeld: Almost a decade and a half.

Kiser: Did you make some statement at the beginning about offending people? Or not offending people or not intending to offend people?

Lillienfeld: Yes, I did.

Kiser: Tell me about that.

Lillienfeld: I, I believe before I started, I was speaking about some of the slides I was going to show. That they were graphic. That they were, you know, autopsy photos and pretty gruesome. And that I was going to speak frankly, you know, about the case and it's ins and outs. And there was some testimony, specifically from a Professor of Law at Duke University, and I was going to speak about that. And he had, during his testimony, he had used humorously, used the F word. Although in his testimony, it stood for fraud and it was kind of a gotcha thing with the jury there. And I, I had spoke about that.

Kiser: You weren't speaking about yourself?

Lillienfeld: Not when I started the presentation, no. Not at all.

Kiser: Did you use expletives, fuck, F-U-C-K? I'm sure my transcriptionist has heard that before. But did you use that during your presentation?

Lillienfeld: Absolutely, yes.

Kiser: Tell me a little bit about that. How did that come up? Was it part of this testimony or was it just....

Lillienfeld: Both. Part of that testimony and quite simply, it was my language getting kind of...I don't wanna say caught up in the moment, but that's the words that come to mind now. So yeah, I absolutely used that word.

Kiser: And reflecting on it now, do you have any particular feeling about that, whether or not....

Lillienfeld: Oh, God, yes.

Kiser: You want to put that on the record?

Lillienfeld: Sure. I mean, I would have never...I mean, I, I swear as pretty much most Americans do, and certainly most cops do, and most men do. I can turn it off in a heartbeat. And I can turn it on in a heartbeat. And I didn't turn it off. And I should have. I was a bit comfortable there because it's my Department. My Crime Lab. My building. My people. People I knew. People I've known for many years that I've worked with. People I'm close to. People I've had social interaction with. People I eat dinner with. People whose homes I'd been to. So I was extraordinarily comfortable there. And I did not turn it off when, when...I wouldn't be here talking to you today.

Kiser: Right.

Lillienfeld: Had I...I should have.

Kiser: Was anything going on before...not immediately before, but maybe in the days or day preceding your presentation that was affecting you? Had you been on call? Were you in the middle of a trial? Anything like that?

Lillienfeld: I, I was tired. This assignment is a pretty high stress assignment. And it can wear you down. And at times, you have to work at getting your stamina and strength up. I was very tired, and this, this subject matter, this particular case, I actually, with the exception of here, talking to you, and the exception of talking about it during training, I kind of have a rule. And I never discuss it. I just don't talk about it for a variety of reasons. So it...because it's kind of an emotional case for me. It took a huge chunk of my life. Almost my entire career of Homicide, I had worked this case. It's a massive case. It's hundreds of thousands of pages of discovery and reports. And to my knowledge, it's the largest volume-wise case in history of the Department.

Kiser: Wow.

Lillienfeld: So it's, it's a huge case. And because of that and because I devoted such a big chunk of my life, I didn't want to be defined by it. So I actually, for many years, have kind of had the rule, I, quite simply, I don' talk about it. I don't talk about it to my friends or family or other work associates. I just don't talk about this case. The exception being in a training setting and, of course, today. So that, because of that, there's a certain amount of emotion that gets involved in it.

Kiser: Did you use the term "broad", referring to women, at some juncture?

Lillienfeld: I absolutely did.

Kiser: Was that in reference to a particular woman or to women generally?

Lillienfeld: I believe it was to women generally. I, I absolutely used the term. I just don't recall in what manner. I did not mean to use it in a derogatory term. Yesterday, had she been alive, would have been my [redacted] And she was what I would call a great old broad. And I meant it in that term. Not derogatorily.

Kiser: And reflecting now, is that something you're considering take out of your vocabulary?

Lillienfeld: Oh, absolutely. Absolutely.

Kiser: When you used it that day, was it just part of your vocabulary? I mean, what was...do you...the way it came off, I guess, with the victim. Something about the victim's sister was a nice looking broad.

Lillienfeld: That's...the person you're talking about is actually the Chairwoman of the Postal Commission. Her name is [redacted]

Kiser: Yeah.

Lillienfeld: And she's about a 75-year-old woman, and she's a very attractive woman now, even. And it's very possible I said that. If they, if they state that I say that, say that I said that, I absolutely did. I don't have a clear recollection. But I absolutely would have said that.

Kiser: All right. And did you say something...let me spell [redacted] It's [redacted] And [redacted] Did you say something about that they were dressed like girls or something about pig tails?

Lillienfeld: I might have, yeah. Absolutely. Yes, I did say that. I don't recall what context. I had taken them to lunch because they had done a great job helping me on another, a serial murder case. And when I said it during this class, I, I think I made...I mean, I know that I made a joke about the next time we eat lunch, you have to wear pigtails or something like that. Absolutely. And as I reflect on that, I see the inappropriateness of that to people other than...to people...to other people.

Kiser: Or to any people?

Lillienfeld: Yeah. Yeah.

Kiser: All right. Did...was there some discussion about DNA reports and their being too complex, or issues with how DNA reports are being written by the lab staff?

Lillienfeld: Yes.

Kiser: Tell me about that.

Lillienfeld: Not just DNA reports. Many of the Crime Lab reports are very set in scientific language and very difficult to understand. So I had stressed that point that we are not as smart as we, law enforcement, policemen, especially, are not as bright as they are or as educated or as trained in a lot of the nomenclature that they use. And that they're very difficult to read.

Kiser: Did you reference anything about staring at someone's chest if their report was too complex?

Lillienfeld: I absolutely might have done that. I don't have a clear recollection of doing that. But if they said I did that, I absolutely did. I, I might have said it in the context of, after briefly discussing something very thick and scientific, we lose our attention span really quick. And that, that, that's one of the ways you can tell.

Kiser: Are those reports prepared for law enforcement or prosecution, or is that like a scientific document prepared for other science people?

Lillienfeld: They're actually prepared both for law enforcement and for prosecution. And although my conduct's inappropriate, I'm sure my complaint stands. Pretty much, everybody who's not a scientist had the same complaint.

Kiser: All right. Have you reflected on this whole situation since it was brought to your attention?

Lillienfeld: Yes.

Kiser: Is there anything you want to convey to the panel via your transcript about maybe lessons learned? Or....

Lillienfeld: Yeah. I mean, I...absolutely. You know. Reflecting upon it, pretty quickly, I would never intentionally offend anybody. I'm clear on the Department's mandate and the laws governing our conduct and our, our code of ethics and everything else. And I would never intentionally do that to any employee or any citizen. So, obviously, I, I don't have an excuse for my conduct. But I'm clear how inappropriate it is, and I do have a question for you.

Kiser: Okay.

Lillienfeld: When you say the Panel, I'm lost to what the heck you're talking about.

Kiser: Oh, I'm sorry. The Equity Oversight Panel is a independent group that reviews all Equity-related complaints, whether it's, you know, there's obviously sexual harassment. This is not a sexual harassment case. There's other gender or protected class issues that don't rise to the level of full blown discrimination or harassment. But anything that falls within the Equity realm is reviewed by the Equity Oversight Panel. It's chaired by a retired Lieutenant, Sue Tyler. And there's four or five employment law attorneys or specialists, not necessarily that they're all attorneys. Some are appointed by Class Counsel in Bouman. Some are the Department picks. And they review it as a group and make a recommendation to the Unit Commander and the Division Chief about whether or not the charge is founded or unfounded, and recommend what the appropriate discipline would be.

Lillienfeld: Oh, okay.

Kiser: So they're reading, they're reading the report as a panelist, not an employee.

Lillienfeld: Right.

Kiser: They don't know all the lingo and the jargon and what it's like to work Homicide. Things like that.

Lillienfeld: Sure. And is their recommendation binding? And I'm sorry for getting off track here. I can ask you later if you want.

Kiser: Well, I will answer that off the record because it's a recommendation. I'm not sure exactly what the, the bindingness of it is.

Lillienfeld: Okay.

Kiser: But....

Lillienfeld: No problem. One last question for you. Is there, is there an appellate...is there a review...a remedy for whatever, whatever their recommendation is, or is that, they simply make a recommendation and somebody within the Department decides the discipline?

Kiser: Well, obviously it's like, if you're ever aggrieved by any decision that's made as part of any administrative investigation, there's still the same grievance and process.

Lillienfeld: Oh, okay. Okay. I see.

Kiser: Yeah. If it was to be a very serious case, you would...

Lillienfeld: Right.

Kiser: ...be entitled to a Skelly hearing with the Division Chief.

Lillienfeld: Right.

Kiser: If it's lesser discipline, it would be the regular four-step grievance which eventually gets you to Mr. Waldie. And then if you're still not satisfied with that, your administrative remedy, if you got a five-day suspension or less, would be to go to the County's Employee Relations Commission. Or if it's five days or above, to go to the Civil Service Commission and have a hearing.

Lillienfeld: Okay.

Kiser: So anything else?

Lillienfeld: I'm good.

Kiser: All right.

Lillienfeld: Thanks for everything.

Kiser: You're welcome. Let's end the record. And it's 10:23.

EXHIBIT A

For I.S.U. Use
Method of Receipt
☐ Telephone
☐ In Person
☒ POE Report Form
☐ Other: ____________
Intake # 08-180

Policy of Equality
Report / Notification Form

General Instructions: Use this form to report a potential violation of the Policy of Equality. Non-supervisors may also report a potential violation of the Policy of Equality by calling the Intake Specialist Unit at (323) 890-5371 or visiting them at 4900 S. Eastern Avenue, Suite 203, Commerce.

****

Section A: Reporting Party Information — Reporting Date: 07 / 29 / 2008

Name: [redacted] Emp. #: [redacted] Rank/Title Supervising Criminalist

Work Tel# [redacted] ; Home Tel# [redacted] ; Work Hours 9 - 5 RDO sat and sun

Unit of Assignment: Scientific Services Bureau Unit Commander: David A. Walters

Division Technical Services

Name of Supervisor Completing this form (if different from above): ____________ # ________

Date & Time form completed: 07 / 30 / 2008 , 1100 hours.

☐ Anonymous (Do not provide identifying information above if anonymous. You must, however, fill out the rest of the form. **Do not check if you are a reporting supervisor.)**

Did the complainant and/or alleged victim notify a supervisor of this complaint prior to now?

☒ Yes (if yes, fill in details)
Who: [redacted]
When: Date: 7 / 24 / 2008 , Time: 1100 hours.
How: E-mail/ verbal
☐ No
☐ Do not know

****

Section B: Date And Time of Potential Violation

Day, Date and time alleged violation / alleged incident occurred: 07 / 24 / 2008 , 8-12 hours or between ___ / ___ / ___ and ___ / ___ / ___

If multiple incidents or unknown, explain: ____________

****

Section C: Alleged Complainant(s) (if not the same as the Reporting Party and if they can be identified)

[redacted] Employee # [redacted] Rank/Title Senior Criminalist UOA Scientific Serv
Work Tel# [redacted] ; Home Tel# [redacted] ; Work Hours 9 - 1730 RDO ________

[redacted] Employee # [redacted] Rank/Title Senior Criminalist UOA Scientific Serv
Work Tel# [redacted] ; Home Tel# ________ ; Work Hours 8 - 1830 RDO Friday

________ Employee # ________ Rank/Title ________ UOA ________
Work Tel# ________ ; Home Tel# ________ ; Work Hours ____ - ____ RDO ________

** ** **

Section D: Alleged Involved Party(ies) (if they can be identified)

Detective Mark Lillianfield Employee # [redacted] UOA Homicide

Employee # UOA

Employee # UOA

Employee # UOA

****

Section E: Alleged Witness(es) (if they can be identified)

[redacted] Employee # [redacted] Rank/Title Senior Criminalist UOA Scientific Serv
Work Tel# [redacted] ; Home Tel# ; Work Hours 7 - 1630 RDO monday

[redacted] Employee # [redacted] Rank/Title For. Ident. Specialist UOA Scientific Serv
Work Tel# [redacted] ; Home Tel# ; Work Hours 7 - 1530 RDO

[redacted] Employee # [redacted] Rank/Title Senior Criminlaist UOA Scientific Serv
Work Tel# [redacted] ; Home Tel# ; Work Hours 8 - 1630 RDO

[redacted] Employee # [redacted] Rank/Title Crminalist UOA Scientific Serv
Work Tel# [redacted] ; Home Tel# ; Work Hours 8 - 1730 RDO monday

****

Section F: Nature of the Complaint or Issue(s) -- Be as detailed as possible, include all incidents & evidence.

During a mandatory Field Investigation training session, in which about 40 people attended, the Homicide Detective talking about the investigation and adjudication of a high profile murder case used language that was allegedly not appropriate for this venue. After the class, I received e-mails, from 2 individuals that I forwarded to ISU on July 29, 2008. They felt offended by the language used during the presentation.

(☐ Check, if narrative is continued onto the next page)

Ask: "Why do you believe this treatment is occurring?"

Section F (cont'd): Nature of the Complaint or Issue(s) -- Be as detailed as possible, include all incidents & evidence.

****

Note: Continue onto the next page

Section G: Supervisor -- FOR NON-VICTIM SUPERVISORY USE ONLY. DO NOT FILL OUT THIS SECTION IF YOU ARE THE ALLEGED VICTIM OR A NON-SUPERVISOR.

Date & Time notified of potential violation / observation was made: 07 / 24 / 2008 , 1100 hours.

How did you become aware of the potential violation (explain in detail): Two employees sent me e-mails regarding the alleged offense

Supervisor's Actions (if any) (explain in detail)

Did you ascertain whether complainant(s) and/or victim(s) are in need of:

- ☐ Medical Attention
  Response:
- ☐ Protection
  Response:
- ☐ Other Assistance
  Response:

Advised the complainant(s) and/or victim(s) that they:

- ☐ May seek confidential counseling or assistance from Employee Support Services

Notifications:

☒ **Intake Specialist Unit phone notification:** (During business hours, direct telephone (323) 890-5371. After hours, request through Sheriff's Headquarter's Bureau (323) 526-5541)

Intake Specialist notified via telephone: Deputy A. Matusik (Name) Date & Time: 07 / 29 / 2008 , 1100 hour.

☒ **POE Report/Notification Form forwarded to Intake Specialist Unit**

Date & Time: 07 / 30 / 2008 , 1645 hour. How?: ☒ e-mail ☐ Fax ☐ County mail

****

Section H: **For Intake Specialist Unit Use Only** - DO NOT FILL OUT IF YOU ARE REPORTING A POTENTIAL VIOLATION TO THE INTAKE SPECIALIST UNIT.

Intake Specialist Name: Deputy A. Matusik Emp. #: [redacted]

Day, Date and time notified of report: Thursday / 07 / 31 / 2008 , 0630 hours.

☒ Referred to Equity Unit: Date & Time - 08 / 04 / 2008 , 1240 hours.

☐ If not referred to Equity Unit, explain in detail action taken:

Additional Information (if any):

☐ Check here if this violation has already been reported. If so, this form should be attached to the already existing report as an addendum. If the existing report has already been forwarded to the Equity Unit or any other Department entity, this form should be forwarded as well.

CC:
☐ Equity Oversight Panel
☒ Subject's Unit Commander
☐ Reporting Party's Unit Commander
☐ Victim's Unit Commander

EXHIBIT B

Kiser, Julia K.

From: [redacted]
Sent: Tuesday, July 29, 2008 11:03 AM
To: Matusik, Annmarie
Subject: FW: Thursday's Lecture with Det. Lillienfield

-----Original Message-----
From: [redacted]
Sent: Thursday, July 24, 2008 10:23 AM
To: [redacted]
Cc: [redacted]
Subject: FW: Thursday's Lecture with Det. Lillienfield

[redacted]

I just wanted to let you know that I left the meeting/lecture early today because I found the Detectives comments and language very offensive.

[redacted]

[redacted]
Senior Criminalist
Hertzberg Davis Forensic Science Center
1800 Paseo Rancho Castilla
Los Angeles, CA 90032
[redacted]

From: [redacted]
Sent: Thursday, July 24, 2008 6:28 AM
To: SSB(C) Biology (Crime Lab); SSB(C) Trace Evidence (Crime Lab)
Subject: FW: Thursday's Lecture

From: [redacted]
Sent: Wednesday, July 23, 2008 7:05 AM
To: [redacted]
Subject: Thursday's Lecture

Just a reminder the case presentation on Thursday is 0800 - 1130, I tried to get [redacted] to leave all the chairs in the room from the Division meeting yesterday but unfortunately those needed to be returned to the Baca Media room and other locations. Please have your people B.Y.O.C. (bring your own chair), the ones that are in the room will be used for the folks from [redacted] and I will round up some extras in the early morning from the conference room here on the 3rd floor.

Thanks,
[redacted]

EXHIBIT C

Kiser, Julia K.

From: [redacted]
Sent: Tuesday, July 29, 2008 11:03 AM
To: Matusik, Annmarie
Subject: FW:

-----Original Message-----
From: [redacted]
Sent: Thursday, July 24, 2008 10:56 AM
To: [redacted]
Cc:
Subject:

Hi [redacted]

I was so offended by the manner with which Detective Lillienfeld conducted himself that I left before the conclusion of his presentation. He made numerous tasteless comments this morning underscoring a distinct lack of respect for his audience. When he directed a particularly foul comment at my colleagues Senior Criminalists [redacted] and [redacted] I made the decision to leave.

[redacted]
Senior Criminalist
Scientific Services Bureau
Los Angeles County Sheriff's Department

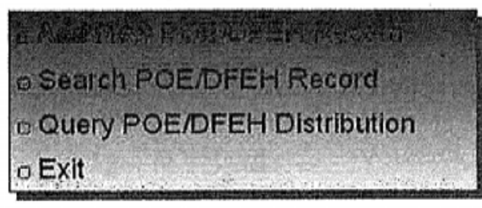
EXHIBIT D



Los Angeles County Sheriff's Department
POE/DFEH Distribution Program

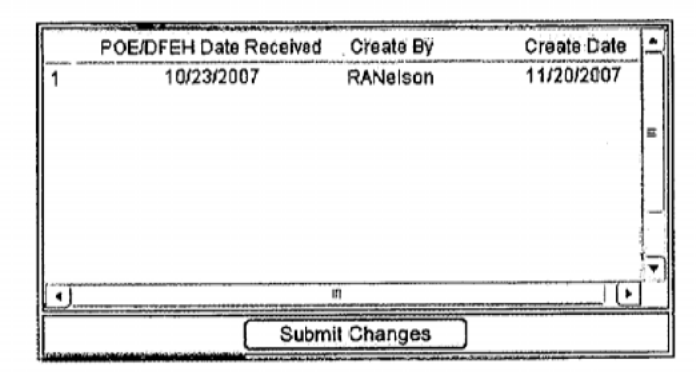


MAIN MENU



POE/DFEH Records for Employee No. [redacted]

Last Name: **LILLIENFELD** First Name: **MARK** Middle Initial: **L**
Sex: **M** Race: **WHITE** Age: **50**
Item: **2708** Rank: **DEPUTY SHERIFF** Time On Dept.: **26** years 11 months
UOA: **DD/HOM** UOA Name: **HOMICIDE BUREAU**



	POE/DFEH Date Received	Create By	Create Date
1	10/23/2007	RANelson	11/20/2007

Submit Changes

Sort By: End Date

Los Angeles County Sheriff's Dept.

Employee Training Data Inquiry: T.R.S.

Look-up by Employee No.

Date: 8/6/2008

CPT Date: 12/18/2009

Post ID: [redacted]

Emp No: [redacted]   Employee Name: LILLIENFELD, MARK L

Rank Title: DEPUTY SHERIFF   UOA: HOMICIDE BUREAU

[redacted]

Sort By: End Date

Los Angeles County Sheriff's Dept.

Employee Training Data Inquiry: T.R.S.

Look-up by Employee No.

Date: 8/6/2008

CPT Date: 12/18/2009

Post ID: [redacted]

Emp No: [redacted]

Employee Name: LILLIENFELD, MARK L

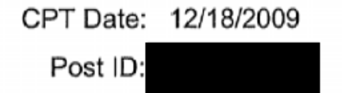
Rank Title: DEPUTY SHERIFF

UOA: HOMICIDE BUREAU

[redacted]

Sort By: End Date

Los Angeles County Sheriff's Dept.
Employee Training Data Inquiry: T.R.S.
Look-up by Employee No.


Date: 8/6/2008
CPT Date: 12/18/2009

Post ID: [redacted]

Emp No: [redacted]   Employee Name: LILLIENFELD, MARK L

Rank Title: DEPUTY SHERIFF   UOA: HOMICIDE BUREAU

[redacted]

EXHIBIT E

Name	Title	R B L Training	AB1825 Supervisor Update
[redacted]	Supervising Criminalist	9/26/02	9/8/05, 12/6/07
	Supervising Criminalist	4/24/03	9/8/05, 12/6/07
	Supervising Criminalist	10/16/02	9/8/05, 12/6/07
	Supervising Forensic ID Specialist	1/12/04	11/15/07
	Supervising Forensic ID Specialist	2/23/04	9/8/05, 11/15/07
	Supervising Criminalist	7/30/03	11/15/07
	Supervising Criminalist	10/1/03	11/15/07
	Supervising Criminalist	10/2/02	9/8/05, 12/6/07
	Supervising Forensic ID Specialist	No record. Hire date: 1/17/06 No record of 40 hour Civilian Orientation training.	No record.

Name	Respect Based Leadership training date
Biology	
[redacted]	1/30/03
	4/30/03
	9/5/03
	5/18/07
	9/3/04
	4/25/03
	6/2/08
	4/23/03
	6/2/08
	2/9/06
	6/2/08
	10/28/03
	9/8/03
	2/18/07
	6/2/08
	12/23/03
	11/5/03
	518/07
	2/9/06
	5/23/08
	5/23/08
	2/29/03
	1/27/06
	2/19/03
	9/22/03
	11/13/03

Chemical

[redacted]	3/31/03
	10/23/03
	12/4/03

Firearms

[redacted]	11/18/03
	7/11/03
	7/16/03
	6/25/03
	9/9/03
	3/25/05

Latent Prints

[redacted]	1/7/04
	5/13/03
	7/27/04
	5/14/03
	2/19/03
	6/5/03
	11/13/03
	5/13/04
	12/10/03
	5/20/03
	12/12/03
	4/30/03
	3/18/03
	11/12/03
	12/10/02
	12/11/03

Latent Prints (continued)

[redacted]

10/2/03
11/20/03
1/28/04
2/23/03

Latent Prints (San Dimas)

[redacted]

2/20/04
6/5/03
11/19/03
10/22/03
10/28/03

Trace Evidence

[redacted]

2/4/05
9/24/03
3/24/04

Quality Assurance/Training

[redacted]

2/4/05

MISCELLANEOUS DOCUMENTS

COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

DATE August 6, 2008

OFFICE CORRESPONDENCE

FILE NO. POE 08-180

FROM: LYNDA R. CASTRO, COMMANDER
OFFICE OF THE UNDERSHERIFF

TO: KARYN MANNIS, CAPTAIN
INTERNAL AFFAIRS BUREAU

SUBJECT: **REQUEST FOR IAB INVESTIGATION AND/OR CRIMINAL MONITOR**

Subject's name, rank, employee number, and unit of assignment:

Mark Lillienfield, Deputy Sheriff #[redacted] Homicide Bureau, Detective Division

Subject is alleged to have made POE inappropriate comments and to have used profanity repeatedly while teaching a class to Department members and other law enforcement professionals.

Incident Date(s):

July 24, 2008

Date the Captain or Director, or above, knew that an administrative investigation should be initiated:

July 28, 2008

One Year Statute Date

July 28, 2009 (If criminal monitor, leave blank)

Potential MPP Violation(s):

3-01/121.30 - POE Inappropriate Conduct Toward Others (Sex/National Origin/Ethnicity/Ancestry/)

3-01/030.15 - Conduct Toward Others

3-01/030.85 - Profanity

Alcohol Related? Yes (No)

Citizen Complaint? Yes (No) If yes, SCR # ______

Complainant's Name (and employee number if a Department member):

[redacted] Sr. Criminalist #[redacted] & [redacted] Sr. Criminalist #[redacted] Scientific Services Bureau

Reason(s) for IAB Request:

* mandatory IAB investigation

- [ ] Witnesses are spread over a large geographic area.
- [ ] The nature of the allegations(s) involves incidents of high media attention.
- [ ] The Subject is a supervisor or manager.
- [ ] The allegation(s), if founded, may result in discharge. *
- [ ] The allegation(s) concern family/domestic violence.
- [ ] The allegation(s) concern workplace violence. *
- [ ] Criminal Monitor (indicate investigating agency and crime).

- [x] Other:

The allegations concern a violation of the Policy of Equality

Contact for source documents at the requesting unit:

Prepared by:
Unit Commander or Director:

Lynda R. Castro, Commander of the Department, Office of the Undersheriff

E-Mail to IAB Investigation Requests

For IAB use only

Assigning Lieutenant Lieutenant Curtis Jensen

IAB Investigator Sergeant Julia Kiser

Relieved of Duty YES NO (circled)

COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

" A Tradition Of Service"

DATE August 6, 2008

OFFICE CORRESPONDENCE FILE NO. POE 08-180

FROM: LYNDA R. CASTRO, COMMANDER
OFFICE OF THE UNDERSHERIFF

TO: WILLIE J. MILLER, CHIEF
DETECTIVE DIVISION

SUBJECT: **POLICY OF EQUALITY INTERNAL INVESTIGATION INITIATED**

An administrative investigation has been initiated regarding the following member(s) of your Division for a potential violation of the Department's Policy of Equality:

- Mark Lillienfield, Deputy Sheriff #[redacted] Homicide Bureau

Please contact Lieutenant Curtis Jensen of the Equity Investigations Unit at [redacted] for additional information.

LRC:CAJ:caj

cc: James B. Curtis, Captain, Homicide Bureau

ADMONITION FOR (SWORN & NON-SWORN) WITNESSES

I am Sergeant Julia Kiser and this is ______________________ of Internal Affairs Bureau which is commanded by Captain Karyn Mannis.

You are about to be questioned as part of an official Los Angeles County Sheriff's Department administrative investigation. You are here as a witness in a matter which concerns another employee. The complainant has not filed a complaint against you, and you are not under investigation as a subject in this matter.

Do you have a Policy and Ethics Chapter of the Manual of Policy and Procedures? [✓] Yes [ ] No
Are you familiar with its contents? [✓] Yes [ ] No

You are hereby advised that the provisions of the Government Code, generally referred to as the Peace Officers' Bill of Rights, do not apply in this instance. You are specifically reminded that Policy and Ethics Sections 3-01/040.70 and 3-01/040.75, require that you make full, complete, and truthful statements. Any refusal to do so may result in your discharge or other punitive action.

NOTE: Personnel being interviewed as witnesses only, and who are not under investigation or not personally charged with any violation, do not have a right to have a representative present during the interview. If it is determined during the interview that the employee is likely to be subject to discipline, the interview shall be stopped and the employee shall be advised that his/her status has changed to that of a subject.

In the event the witness declines to answer questions on the grounds of self-incrimination, the witness/employee shall be readvised of his/her administrative rights as though he/she were a subject. **You are being ordered not to discuss the facts of this case or any of the issues discussed during your interview.**

The above admonition has been explained to me and I understand its

Date: 08/11/08 File Number: IV 2225402

Witness[redacted] (Signature) [redacted]

Investigator: J. Kiser (Signature) Julia Kiser (Print)

ADMONITION FOR (SWORN & NON-SWORN) WITNESSES

I am Sergeant Julia Kiser and this is ______________________ of

Internal Affairs Bureau which is commanded by Captain Karyn Mannis .

You are about to be questioned as part of an official Los Angeles County Sheriff's Department administrative investigation. You are here as a witness in a matter which concerns another employee. The complainant has not filed a complaint against you, and you are not under investigation as a subject in this matter.

Do you have a Policy and Ethics Chapter of the Manual of Policy and Procedures? [✓] Yes [ ] No
Are you familiar with its contents? [✓] Yes [ ] No

You are hereby advised that the provisions of the Government Code, generally referred to as the Peace Officers' Bill of Rights, do not apply in this instance. You are specifically reminded that Policy and Ethics Sections 3-01/040.70 and 3-01/040.75, require that you make full, complete, and truthful statements. Any refusal to do so may result in your discharge or other punitive action.

NOTE: Personnel being interviewed as witnesses only, and who are not under investigation or not personally charged with any violation, do not have a right to have a representative present during the interview. If it is determined during the interview that the employee is likely to be subject to discipline, the interview shall be stopped and the employee shall be advised that his/her status has changed to that of a subject.

In the event the witness declines to answer questions on the grounds of self-incrimination, the witness/employee shall be readvised of his/her administrative rights as though he/she were a subject. **You are being ordered not to discuss the facts of this case or any of the issues discussed during your interview.**

The above admonition has been explained to me and I understand its

Date: 8-11-08 File Number: IV 2225402

Witness: [redacted]
(Signature) [redacted]

Investigator: J. Kiser Julia Kiser
(Signature) (Print)

ADMINISTRATIVE RIGHTS (SWORN & NON-SWORN) SUBJECTS

I am Sergeant Julia Kiser and this is ____________________ of Internal Affairs Bureau which is commanded by Captain Karyn Mannis.

You are about to be questioned as part of an official Los Angeles County Sheriff's Department administrative investigation.

Do you have a Policy and Ethics Chapter of the Manual of Policy and Procedures? [✓] Yes [ ] No
Are you familiar with its contents? [✓] Yes [ ] No

You are specifically reminded that Policy and Ethics Sections 3-01/040.70 and 3-01/040.75, require that you make full, complete, and truthful statements. Any refusal to do so may result in your discharge or other punitive action.

This investigation concerns: (Explain allegations/basic reason for investigation.)

3-01/121.30 Policy of Equality - Inappropriate Conduct Toward Others (Sex), 3-01/030.15 Conduct Toward Others, 3-01/030.85 Profanity

If this were a criminal investigation, any statements you made could be used against you in a court of law. Since this is an administrative investigation, neither your statements nor any information or evidence which is gained by such statements can be used against you in any subsequent criminal proceeding. However, these statements may be used against you in subsequent administrative actions.

You are being ordered to answer questions specifically related to the performance of your official duties and/or your conduct as related to your employment with the Department.

You have the right to remain silent, and you have the right to the presence and assistance of counsel.You are hereby notified that although you have the right to remain silent, failure to answer questions directly related to this administrative investigation may result in your discharge or other punitive action.

You have the right to have a representative of your choice, who is not involved in this investigation, present with you during your interview. You may tape record this interview if you wish. **You are being ordered not to discuss the facts of this case or any of the issues discussed during your interview with anyone other than your designated representative or attorney in this matter.**

The above admonition has been explained to me and I understand its contents.

Date: 8/14/2008 File Number: IV 2225402

Subject: Mark Lillienfeld (Signature) Mark Lillienfeld (Print)

Investigator: J. Kiser (Signature) Julia Kiser (Print)